

The Staff report before you for the June 9 Planning Commission meeting is 340 pages with all the attachments. You must ask yourselves if you have had an adequate amount of time to review the staff report, FEIR, DEIR, etc. before making any recommendations. I request you table and DENY the Martis Valley West Parcel Specific Plan EIR as proposed, request re-circulation (reasons within comments below) and request another hearing after a sufficient amount of time has been granted to review the documentation. The MVWPSP EIR in its current form is flawed and environmental analysis and response to comments are inadequate, dismissive or incomplete.

The North Tahoe Regional Advisory Council meeting which only had a week to review documentation resulted in a recommendation, not to make a recommendation to your commission. They did approve a Motion to recommend the Planning Commission postpone their action on this item for 30 days to allow for ample time to review the Final EIR. (Placer staff ignored this request as you are hearing the project June 9) Further, that the Planning Commission be aware there are significant concerns with the project whether development is on the east or west side of Highway 267.

This process is being steamrolled with no answer from Placer Staff: What's the hurry?

A Development Agreement (not part of DEIR or FEIR released was released in staff report June 2, 2016) and revised Development Standards (third revision: May 2014, Oct 2015 and most recent May 2016) are among additional pages recently released which you will be asked to approve along with overriding considerations. Is seven (7) days enough time to review and make an informed and valued recommendation? I do not believe so.

This process is being steamrolled with no answer from Placer Staff: What's the hurry?

It's difficult to read over 2,000+ pages and glean comprehensive comments in a short amount of time. I am providing a table of contents to assist you with my comments to date.

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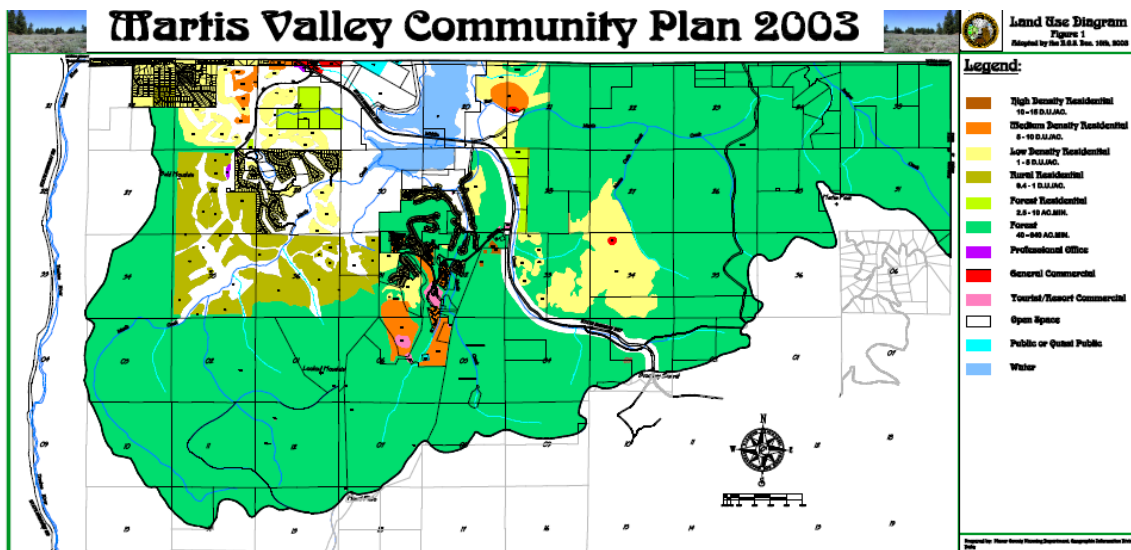
I. DENY and RE-CIRCULATE the Martis Valley West Parcel Specific Plan EIR

I am requesting you **DENY the Martis Valley West Parcel Specific Plan (MVWPSP) as proposed and request recirculation of the environmental impact report** as a new alternative: Alternative 5: Reduced Density East Parcel (without conservation easement) was added to the FEIR without any analysis or opportunity for public/agencies to comment. Along with inadequate, dismissive responses to DEIR impacts and suggested mitigations this project must be re-circulated.

Have any of you toured the west parcel site? The locations topography is challenging to understand (if you are just relying on maps provided) unless you have actually "seen" the ridgetop portion of the development that lies outside the Tahoe Basin but shares a boundary with Tahoe Basin land atop the same ridgeline you cannot comprehend the issues. Have you toured the east parcel where you will find less issue with topography and much less potential for Tahoe Basin impacts? By touring the site your commission recommendations will carry greater weight and fundamental understanding of the environmental impacts. I request you **DELAY your recommendations and request another hearing of the project after you can tour the sites.**

This is not just about the proposed project (Specific Plan): it's about the location on a ridgetop abutting the Tahoe Basin Boundary line. This is raw land never envisioned to be anything more than Timber Production Lands in the Martis Valley Community Plan.

Lets start at the beginning. The Martis Valley Community Plan was updated December 16, 2003 approving future development locations and proposed entitlements (not development rights). **The Martis Valley Community Plan (MVCP) envisioned development on the East Parcel not the West Parcel. Reference MVCP Page 52 Community Design MVCP: 3. East Valley Community - Design/Development Standards: The Martis Valley Community Plan Land Use Diagram designates a low density residential area including a small commercial site east of SR267 and east of Northstar-at-Tahoe.** Following the expiration of the TPZ, this area is available for the development of a large residential project. New development in this area shall be permitted only where it is found to be consistent with the following design/development standards and is developed consistent with an approved comprehensive master plan.



Reference: MVCP Figure 1 Land Use Diagram identifies the east parcel for residential development and the west parcel as Forest land.

Initially a Tahoe Basin Area Plan, proposing a gated community with 112 luxury units and commercial buildings, on a Tahoe ridge-line was included in the Martis Valley West Parcel Specific Plan.

The Area Plan received so much public resistance, criticism and outcry from community members and environmental groups- it was removed from the MVWPSP and is now proposed as a separate project: The 550 unit Brockway Campground.

Mountainside Partners is proposing both projects separately but continues to state that they are reducing development from 1360 units. Simple math: 760 units plus 550 campsites (in the same location, atop a ridge, connected by an evacuation fire road) is 1310 total units so the cumulative impacts of both projects must be accounted for in the environmental analysis. The FEIR has not adequately done so and dismissed the Brockway Campground impacts as being unnecessary as the project is within the Tahoe basin. The DEIR analysis is incomplete and flawed requiring you as a commission to: **DENY the project and request re-circulation with additional analysis.**

The only reason there are two separate projects proposal on the same ridgetop:

- 1). one in the Tahoe Basin -Brockway Campground
- 2). one outside the Tahoe Basin - MVWPSP

Is the public made such a raucous that the developer feared the entire Martis Valley West Parcel Specific Plan was in jeopardy of not getting approval.

Reference: Placer County

[web:https://www.placer.ca.gov/departments/communitydevelopment/envcoordsvcs/eir/martisvalleywestparcel](https://www.placer.ca.gov/departments/communitydevelopment/envcoordsvcs/eir/martisvalleywestparcel) (In August 2013, an application was submitted to Placer County for the MVWP Specific Plan. The Specific Plan consists of the East Parcel and West Parcel and included approximately 270 acres of land in the Tahoe Basin. A draft Area Plan was prepared for 112.8 acres on the West Parcel of the Basin portion of the MVWPSP for consideration by Placer County and TRPA. A Notice of Preparation for a Draft EIR/EIS was published in March 2014. A draft Specific Plan was submitted to the County in May 2014 and a draft Area Plan was submitted to TRPA in June 2014.) **The applicant now proposes to revise the MVWPSP to remove the portion of the West Parcel that is in the Tahoe Basin (and within the jurisdiction of TRPA), including the 112.8-acre area that was subject to the Area Plan. As a result, the Area Plan would not be part of the MVWPSP.** (The Area Plan is now suspended: not terminated and the Tahoe basin acres are proposed as 550 unit campground)

Fast forward: East West Partners (now: Mountainside Partners) along with Sierra Pacific Industries (SPI) entered into a private business deal an "Opportunity Agreement" (MVOA) with Mountain Area Preservation (MAP) and Sierra Watch (SW) on **July 16, 2013**. This agreement cannot be construed as a development agreement nor binding in any way for the transfer of proposed entitlements in your approval cycle.

At the **May 12, 2016** North Tahoe Regional Advisory Council: Mountain Area Preservation (MAP) and Sierra Watch (SW) representatives said that with the Brockway Campground included, the proposed project went far beyond what they agreed to in the MVOA and pointed out it would be irresponsible to make decisions at such a fast pace on projects that will span generations. They noted that these decisions will "outlive us all", and we shouldn't rush this.

At the **May 25, 2016** TRPA Governing Board meeting MAP and SW (along with the League to Save Lake Tahoe and members of the public) representatives made it clear to TRPA they need to continue to heavily weigh in on the proposed MVWPSP project as there are many impacts to the Tahoe Basin clearly ignored in the FEIR and dismissed as unnecessary to study as part of the overall cumulative impacts.

II. ALTERNATIVE 5 (released in FEIR documentation) could be modified

If Mountainside Partners and SPI are serious about any development project and the permanent protection of 6,000+ acres of conservation land, **you as a commission, must DENY the EIR as proposed and request re-circulation of the environmental document to be further analyzed to insure DEIR conclusions are accurate and allow the public and agencies to comment on Alternative 5 which has not been before the public/agencies for comment until the FEIR was released and should be open for discussion, interpretation and possible modification.**

Wikipedia: In [arguments](#), [compromise](#) is a concept of finding [agreement](#) through [communication](#), through a mutual [acceptance](#) of terms—often involving variations from an original [goal](#) or desire. In human relationships "compromise" is often said to be an agreement that no party is happy with.

Webster: Settlement of differences by arbitration or by consent reached by mutual concession. Something intermediate between or blending qualities of two different things.

Modifying and analyzing the newly released (in FEIR): Reduced Density Alternative 5 - 418 units on 200 acres on the east side of SR 267 where development proposed entitlements are currently approved by the Martis Valley Community Plan and **adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate**, will achieve a majority of the project objectives 22 out of 25 listed below. .

Adding a "Conservation Easement" (which still can be purchased by a land trust) to Alt 5, will preserve thousands of acres in the spirit of protecting conservation land and COMPROMISE and will ELIMINATE the Visual Significant and Unavoidable impact to less –than-significant as the project is not on a ridgetop abutting the Lake Tahoe basin boundary line. The biological impact stated to be a reason not to use the east parcel is subjective and requires further analysis before a scientific answer to impact concerns can be accurately made.

DEIR 19.1.1 Attainment of Project Objectives

.... one factor that must be considered in selection of alternatives is the ability of a specific alternative to attain most of the basic objectives of the project (CCR Section 15126.6[a]). Chapter 3, "Project Description," articulates the following MVWPSP project objectives:

1. Provide new residential development consistent with the vision, goals, and policies of the MVCP: A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective. The Martis Valley Community Plan (MVCP) approved proposed entitlements on the east parcel not the west parcel

0. The County will promote efficient use of land and natural resources and will encourage "in fill" development (Policy 1.A.1). **Removed in the FEIR as Placer County does not have a definition of infill. (Response to comment IO51-17)**

2. Conserve large, intact, and interconnected areas of natural open space that contributes to the last remaining habitat linkages between the Sierra Nevada and Mount Rose Wilderness Area in the Carson Range (Policy 1.A.6: A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective

3. Minimize habitat fragmentation by development and roads to protect open space from human encroachment (Policy 1.A.6). : A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective. TPZ overlay and current on-going timber harvest practices already disturb wildlife on the east parcel today.

4. Consider the regional implications of development in the Martis Valley on resources outside of the Valley (i.e., Truckee River, Lake Tahoe Basin, Carson Range, and Sierra Nevada) (Policy 1.A.7). Any development on the east or west parcel threatens the exceedance of the Tahoe Basin maximum Vehicle Miles Traveled threshold along with the recently updated (2012) Tahoe Basin Regional Plan envisioned Goals and Policies and updated Code of Ordinances to concentrate development in Town Centers. Level Service of F violates the Martis Valley Community Plan policy 5.A.8 Alternative 1: No Project achieves this objective.

5. Ensure that long-term conservation of important resource lands is achieved through a combination of regulatory actions, acquisition of easements, purchase of development rights, and both public and private land acquisitions (Policy 1.A.8) : A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective.

6. Encourage the concentration of multi-family housing in and near village centers and neighborhood commercial centers (Policy 1.B.1: A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective.

7. Encourage the planning and design of new residential subdivisions to emulate the best characteristics (e.g., form, scale, and general character) of existing, nearby neighborhoods (Policy 1.B.2). : A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective. Nearby neighborhoods were not defined for comparison in EIR: Northstar, Truckee, etc.?

8. Require residential land project design to reflect and consider natural features, noise exposure of residents, **visibility of structures, circulation, **access**, and the relationship of the project to surrounding uses (Policy 1.B.4). : A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective: Maps in the FEIR prove that the development is still on top of the ridge, though outside the Tahoe basin boundary. It's a shared ridgeline (see Exhibit 3-7 Page 9 of 35 below). **Removing the project from a ridgetop shared with Tahoe basin boundary ELIMINATES the Visual Significant and unavoidable Impact 9.9.****

9. Require that significant natural, open space and cultural resources be identified in advance of development and incorporated into site-specific development project design (Policy 1.B.9). : **A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective.**

10. Identify available opportunities and designate land for small commercial centers where some of the needs of local area residents can be met, eliminating the need for trips outside the area (Policy 1.C.3).). : **A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective. The MVCP plan has designated the east parcel for residential and commercial development.**

11. Encourage the sustained productive use of forestland as a means of providing open space, maintaining the quality of Martis Valley's scenic vistas and to conserve other natural resources (Policy 1.F.1).). : **A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective. Timber Harvest Management Plans address the east parcel.**

12. Encourage the preservation of timber producing lands as regional open space, and protect these areas from urban encroachment (Policy 1.J.1). : **A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective. Timber Harvest Management Plans address the east parcel.**

13. Implement a density transfer and retirement by permanently retiring 600 East Parcel residential units and transferring 760 residential units and 6.6 acres of commercial uses from the East Parcel to the West Parcel while preserving in perpetuity 6,376 acres in conservation lands. **Only 1 of 2 objectives met by Alternative 3 and not Alt 5 modified.**

14. Contribute to a large, continuous expanse of open space east of SR 267 by ensuring the permanent preservation of the East Parcel. **A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective. 6,000+ acres still can be preserved minus development acreage proposed.**

15. Minimize isolated development that leads to fragmentation of open space and natural resources by developing on lands in proximity to existing development. **A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective**

16. Minimize visual impacts of development by using the natural features and terrain of the project site to screen buildings. **A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective. Removing the project from a ridgetop shared with Tahoe basin boundary line ELIMINATES the Visual Significant and Unavoidable Impact 9.9.**

Placer County Land Use code VISUAL AND SCENIC RESOURCES: 1.K.1. The County shall require that new development in scenic areas (e.g., river canyons, lake watersheds, scenic highway corridors, ridgelines and steep slopes) is planned and designed in a manner which employs design, construction, and maintenance techniques that: a. Avoids locating structures along ridgelines and steep slopes; b. Incorporates design and screening measures to minimize the visibility of structures and graded areas; c. Maintains the character and visual quality of the area. Removing the project from a ridgetop shared with Tahoe basin boundary eliminates the Visual Significant and unavoidable Impact 9.9.

17. Limit new infrastructure and disturbance by developing on lands in proximity to existing development. **A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective.**

18. Enhance and maintain existing trail system and associated recreational uses, such as cross-country skiing, snowshoeing, hiking, and biking trails **Only 2 of 2 objectives met by Alternative 3 and not Alt 5 modified.. Although SPI could allow recreational uses that could be met by A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective**

19. Implement a land use plan that is responsive to **community concerns**, such as **visual character**, **traffic management**, parking availability, recreational facilities, **environmental issues**, and the desire for expanded community services and amenities. **A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective: Especially because it is not atop a ridge-line that abuts to Tahoe basin lands. This objective is of particular concern as the community has clearly stated on numerous occasions at many meetings and in written comments that we are not in-favor of proposed development on the West parcel due to scenic, recreational and evacuation issues just to name a few.**

20. Reduce reliance on automobiles by providing onsite services and amenities, a transit stop, and extensive cross-country skiing, hiking, and biking **A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective .**

21. Develop a project that is consistent with the planning guidelines and principles of adopted plans and policies, particularly the MVCP. **A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective. The Martis Valley Community Plan (MVCP) approved proposed entitlements (not development rights) on the east parcel not the west parcel**

22. Create a development that draws upon the historic Sierra and Tahoe regional architectural traditions. **A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective.**

23. Develop a financially sustainable project that does not require the diminishment of services to existing residents. **A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective .The FEIR states that financial feasibility (sustainability?) will be determined by the Board and not environmental documentation. The public/agencies have not been privy to what is considered financially in-feasible so we cannot craft comments and neither can the Planning Commission. Attachment 3 information is subjective.**

24. Incorporate sustainable design concepts to ensure long-term preservation, the enhancement of resources, and the reduction of site impacts. **A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective**

25. Reinforce the North Lake Tahoe region, including the Martis Valley, as a four-season destination resort. A Modified Alt 5 on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will achieve this objective. This objective further demonstrates impacts to the Tahoe Basin must be analyzed.

A REDUCED DENSITY EAST PARCEL ALTERNATIVE adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate is logically feasible and achieves most of the project objectives listed above.

By modifying Alt 5 Reduced Density project on east parcel, without a doubt, will ELIMINATE

- 1). Tahoe dark skies violation and skyglow impacts,**
- 2). scenic violation impacts because it will not be located atop a shared Tahoe basin ridge-line**
- 3). recreational conflict with Tahoe Rim Trail Users**
- 4). impact to the Tahoe basin by utilizing the Fiberboard Freeway for secondary emergency evacuation as it will not be located on a shared Tahoe basin ridge-line**

The comparison of Alternatives shows that a Modified Alternative 5 with Conservation Easement can and should be considered the Environmentally Superior Alternative.

Alternatives evaluated in this Draft EIR are:

- ▲ **Alternative 1: No Project – No Development Alternative**, which assumes no new development occurs on either the West Parcel or the East Parcel;
- ▲ **Alternative 2: No Project – Martis Valley Community Plan Alternative**, which assumes development in accordance with existing land use designations and zoning under the existing MVCP. This would include up to 1,360 residential units and up to 6.6 acres of commercial on the East Parcel; timber harvest in compliance with existing Timber Harvest Permits; and cessation of unauthorized recreational uses (because of liability issues).
- ▲ **Alternative 3: Reduced Density Alternative**, which would reflect the same MVWPSP as proposed, but would reduce the number of residential units on the West Parcel by 45 percent (a reduction of 342 units).
- ▲ **Alternative 4: Reduced Footprint, Hotel Alternative**, which assumes development of 500 residential units, a 100-room hotel, a recreational parking lot with 150 spaces, and commercial development and trails consistent with the proposed project on the West Parcel.
- ▲ **Alternative 5: East Parcel Reduced Density Alternative**, which assumes development of 418 units on 200 acres of the East Parcel, designating the remainder of the current East Parcel development area Forest and zoning it TPZ, and leaving the existing Forest designation and TPZ zoning over the West Parcel. Alternative 5 would not involve placing the East Parcel in permanent conservation.

Placer County Land Use code VISUAL AND SCENIC RESOURCES: 1.K.1. **The County shall require that new development in scenic areas** (e.g., river canyons, lake watersheds, scenic highway corridors, ridgelines and steep slopes) is planned and designed in a manner which employs design, construction, and maintenance techniques that: a. **Avoids locating structures along ridgelines and steep slopes**; b. Incorporates design and screening measures to minimize the visibility of structures and graded areas; c. **Maintains the character and visual quality of the area.**

Removing the project from a ridgetop shared with Tahoe basin boundary **ELIMINATES** the Visual Significant and unavoidable Impact 9.9.

The FEIR violates Placer County Land Use Visual and Scenic Resources code 1.k.1.

The Planning Commission **MUST DENY** the FEIR as proposed request re-circulation to correct inadequacies and provide additional analysis to insure DEIR conclusions.

Alternatives comparison of impacts

Ascent Environmental

Revisions to the Draft EIR

Table 2-2 Summary Environmental Effects of the Alternatives Relative to the Proposed MWVSP

| Environmental Topic | Proposed MWVSP | Alternative 1: No Project – No Development Alternative | Alternative 2: No Project – MVCP Alternative | Alternative 3: Reduced Density Alternative | Alternative 4: Reduced Footprint, Hotel Alternative | Alternative 5: East Parcel Reduced Density Alternative |
|---|---|--|--|---|--|---|
| Land Use and Forest Resources | Less than significant (Project and Cumulative) | Less | Similar/Greater | Similar/Less | Similar/Less | Similar/Less |
| Population, Employment, and Housing | Less than significant (Project and Cumulative) | Less | Similar | Similar/Less | Similar/Less | Similar/Less |
| Biological Resources | Less than significant with mitigation (Project and Cumulative) | Less | Greater, potential for a new significant and unavoidable impact | Similar/Less | Similar | Similar/Less |
| Cultural Resources | Less than significant with mitigation (Project and Cumulative) | Less | Similar | Similar/Less | Similar/Less | Similar/Less |
| Visual Resources | Less than significant (Project) Significant and unavoidable (Cumulative) | Less, would avoid a significant and unavoidable impact | Similar, same significant and unavoidable impact | Similar/Less, same significant and unavoidable impact | Similar/Less, same significant and unavoidable impact | Similar/Less, same significant and unavoidable impact |
| Transportation and Circulation | Significant and unavoidable (Project and Cumulative) | Less, would avoid a significant and unavoidable impact | Greater overall, same significant and unavoidable impacts | Similar/Less, same significant and unavoidable impacts | Similar/Less, same significant and unavoidable impacts | Similar/Less, same significant and unavoidable impacts |
| Air Quality | Less than significant with mitigation (Project and Cumulative) | Less | Similar/Greater | Similar/Less | Similar | Similar/Less |
| Greenhouse Gas Emissions and Climate Change | Potentially significant and unavoidable (Cumulative) | Less, would avoid a potentially significant and unavoidable impact | Similar/Greater, same potentially significant and unavoidable impact | Similar/Less, same potentially significant and unavoidable impact | Similar, same potentially significant and unavoidable impact | Similar/Less, same potentially significant and unavoidable impact |
| Noise | Less than significant with mitigation (Project and Cumulative) | Less | Similar/Greater | Similar/Less | Similar/Greater | Similar/Less |
| Geology and Soils | Less than significant with mitigation (Project and Cumulative) | Less | Similar | Similar/Less | Similar/Less | Similar/Less |
| Hydrology and Water Quality | Less than significant with mitigation (Project and Cumulative) | Less | Similar/Greater | Similar/Less | Similar/Less | Similar/Less |
| Utilities | Less than significant with mitigation (Project and Cumulative) | Less | Similar/Greater | Similar/Less | Similar/Less | Similar/Less |
| Public Services and Recreation | Less than significant with mitigation (Project and Cumulative) | Less | Similar/Greater | Similar/Less | Similar/Less | Similar/Less |
| Hazards and Hazardous Materials | Less than significant with mitigation (Project and Cumulative) | Less | Similar | Similar/Less | Similar/Less | Similar/Less |

Placer County
 Martis Valley West Parcel Specific Plan Final EIR

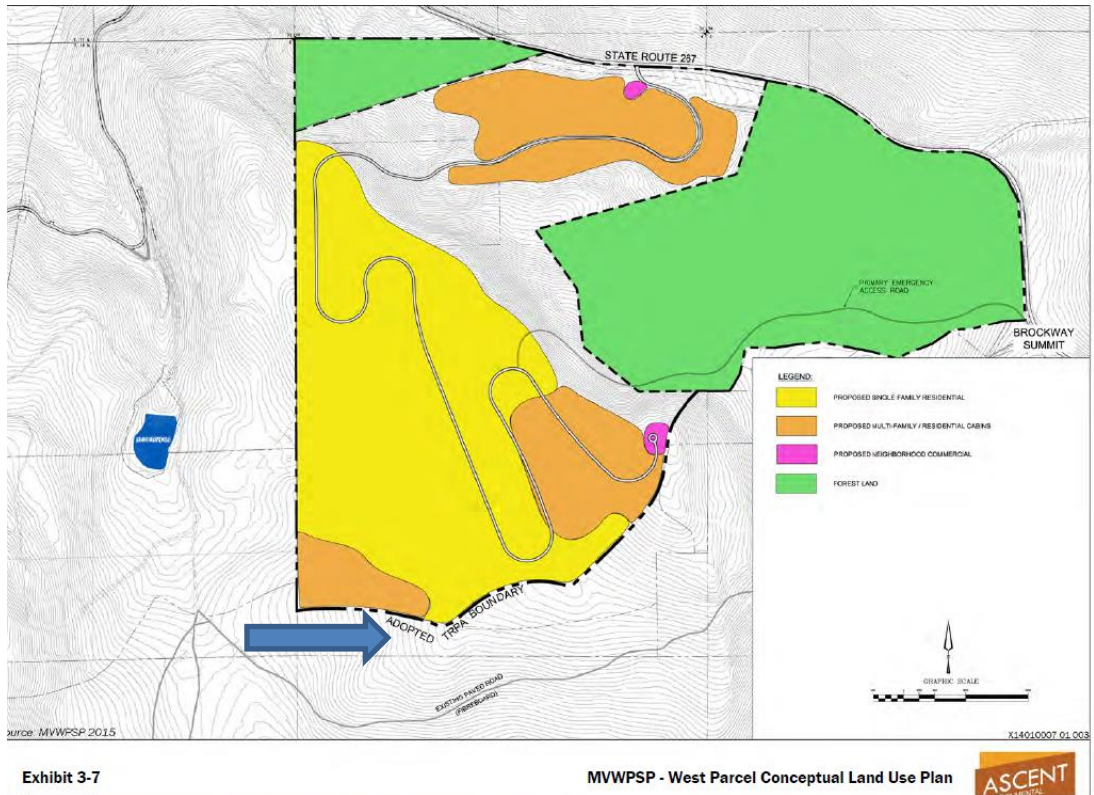
2-7

Modifying Alternative 5, on the east parcel: adding a conservation easement, along with additional analysis to insure DEIR conclusions are accurate will become the “environmentally superior alternative

CEQA requires recirculation of an EIR when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR for public review, but before certification (CCR Section 15088.5). New information is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (CCR Section 15088.5).

From FEIR Master Responses CONCLUSION The Draft EIR relies primarily on CEQA Guidelines Section 15126.6 in its consideration and evaluation of alternatives, stated as follows: An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternative. **An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation.** An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is not an ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

This diagram demonstrates the location of the project and the relationship to the Tahoe Basin Boundary line on the ridge top. Many commenters asked for maps to include topographical numbers be added to all maps to assist in informing the public/agencies. The request for topo numbers was ignored.



III SIGNIFICANT AND UNAVOIDABLE IMPACTS

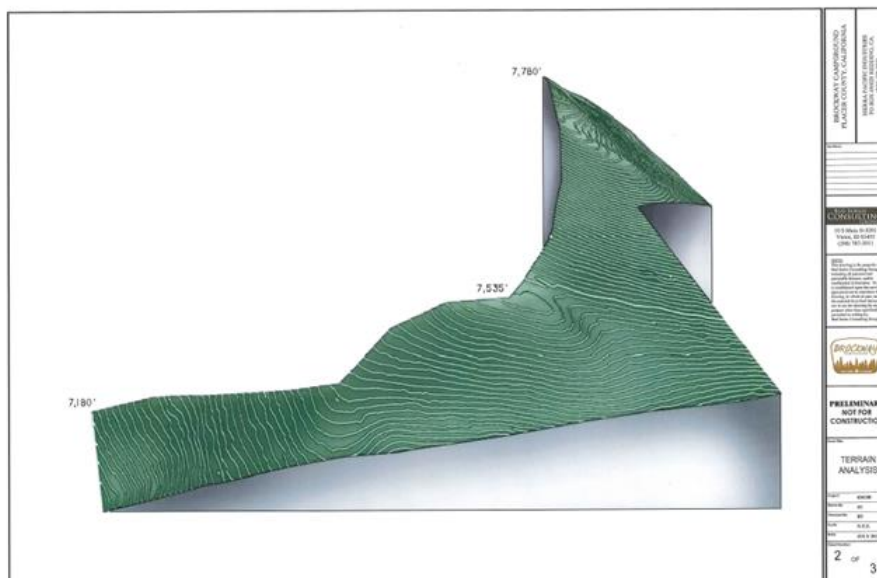
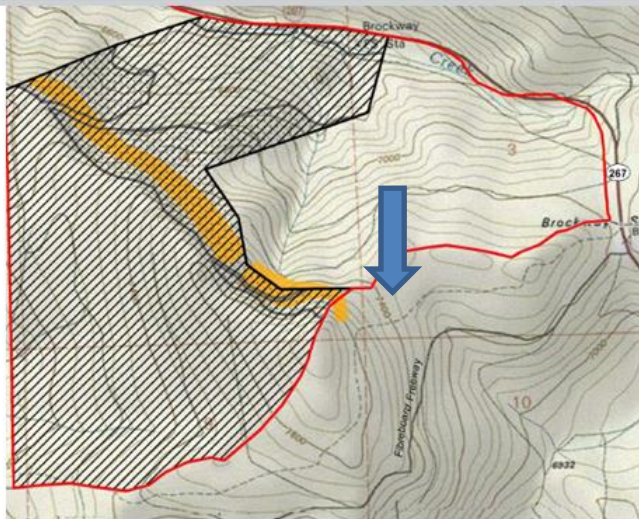
There are six Significant and Unavoidable (SU) Impacts no matter what alternative is selected. And just because impacts are identified as Significant and Unavoidable doesn't necessarily mean these impacts or the project should be approved! I am requesting you DENY the project as proposed until adequate environmental analysis and an environmentally superior alternative with no Significant and Unavoidable impacts can be completed.

VISUAL RESOURCES (CHAPTER 9) (This impact can be ELIMINATED when east parcel where the MVCP approved the residential and commercial development is selected)

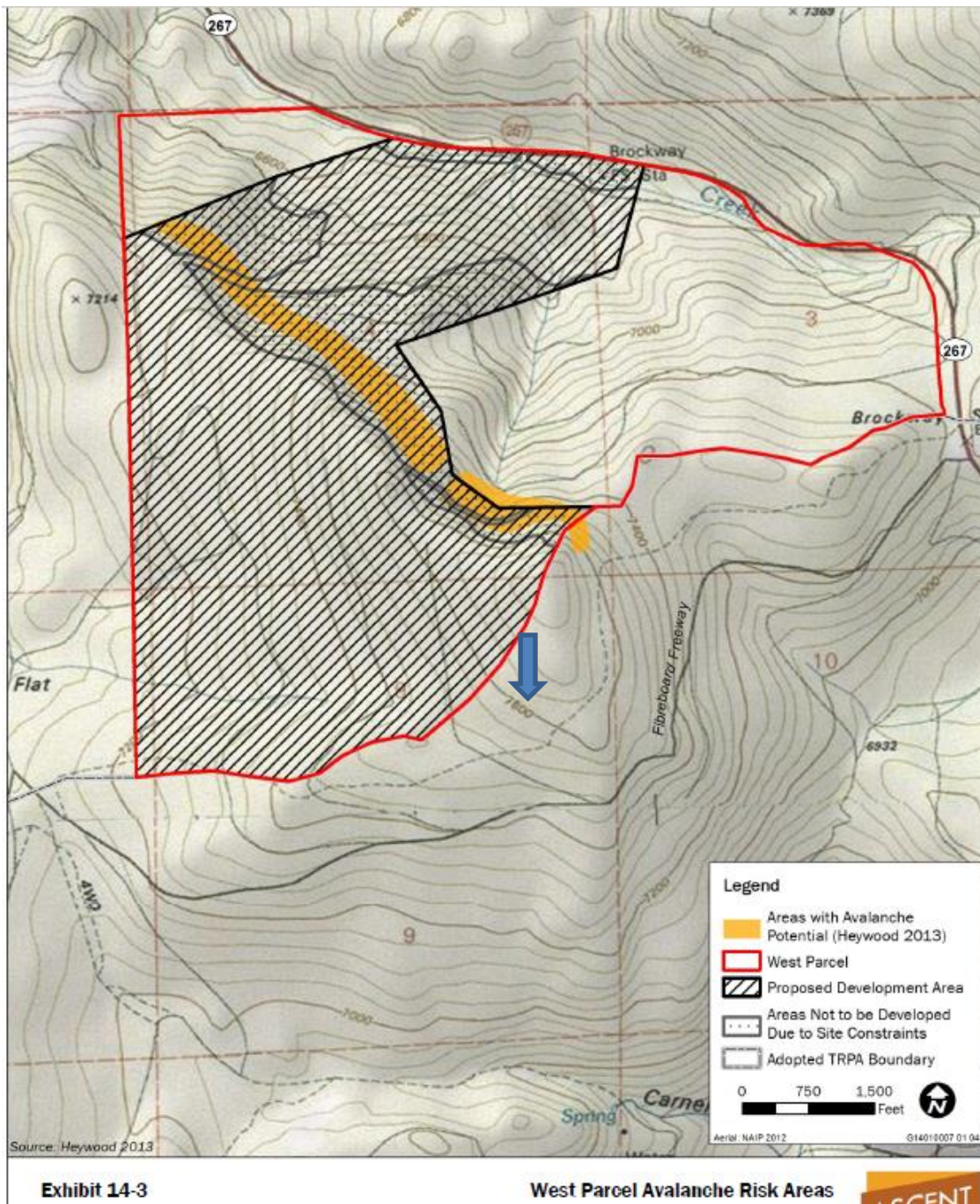
1. Cumulative Impact 9-9: Cumulative effects on light and glare

Skyglow: the effect when lights resonate against the dark skies from atop and just below the ridgeline. No amount of modelling can predict the effects. The project will get built and oops sorry Tahoe we violated dark skies ordinances and objectives. Visual Significant and Unavoidable impacts will be reduced to less-than-significant (not at all) if the project is built on the east parcel, off the ridgetop of the west parcel shared by the Tahoe Basin Boundary line.

Blue arrow Elevation is 7600 feet. It was requested that all maps show elevation in the FEIR. This request was ignored and not provided. Also RELATIONSHIP to Lake Tahoe be provided in all maps was dismissed and ignored.



The Brockway Campground on the Tahoe Basin side of the ridgeline contour shows 7,535 to 7,780 (the MVWPSP project location above) elevation so tree removal will impact viewshed and create greater visibility of structures on the Martis Valley West Parcel side of the boundary outside the Basin with extensive tree removal from the campground project (building site, defensive space, roads, etc. will require trees to be removed) This isn't rustic camping. The two separate projects are inseparable for cumulative impacts of tree removal, visual impacts, traffic etc.)



Blue and orange arrows (approximate topo location) shows 7600 ft elevation and relationship to Lake Tahoe: with cumulative tree removal (building site, defensible space, road and other infrastructure) from MVWP and Brockway campground the likelihood of buildings being visible from Lake Tahoe is much greater than the modeling analysis provides in the DEIR. The FEIR dismissed tree removal analysis from the Brockway Campground as being necessary. Further analysis in the EIR is required to assure no visibility from Lake Tahoe. **I am requesting you DENY the project as proposed until adequate tree removal and visual analysis is completed**

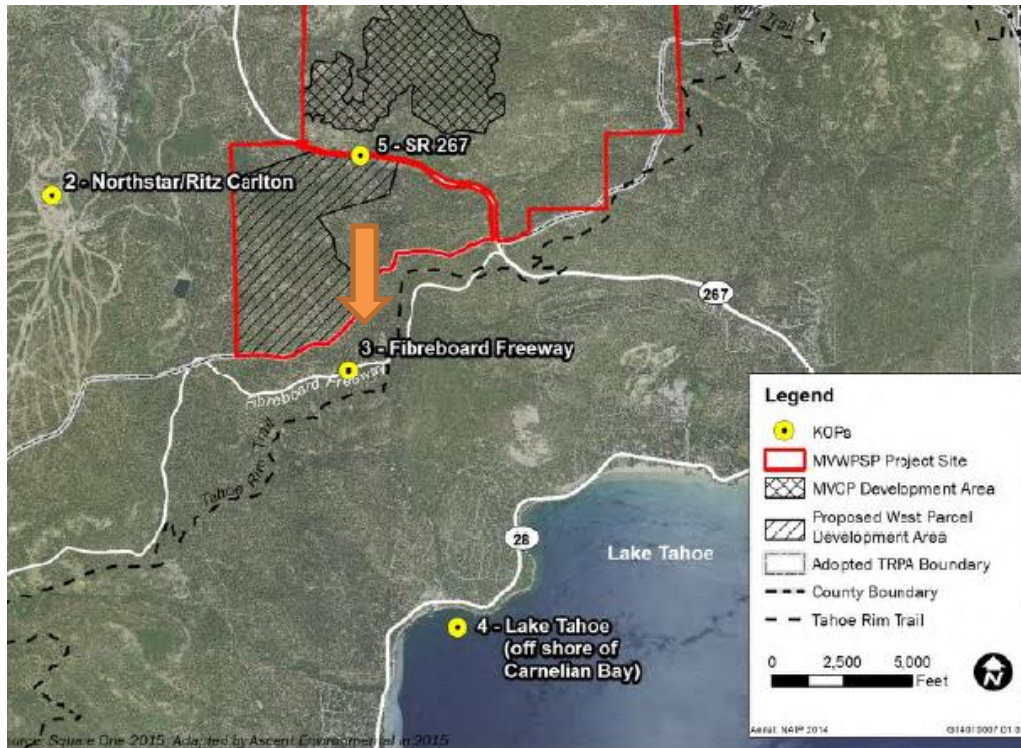


Exhibit 9-19

Key Observation Points



Proposed site plan below shows the proposed development on the ridgetop

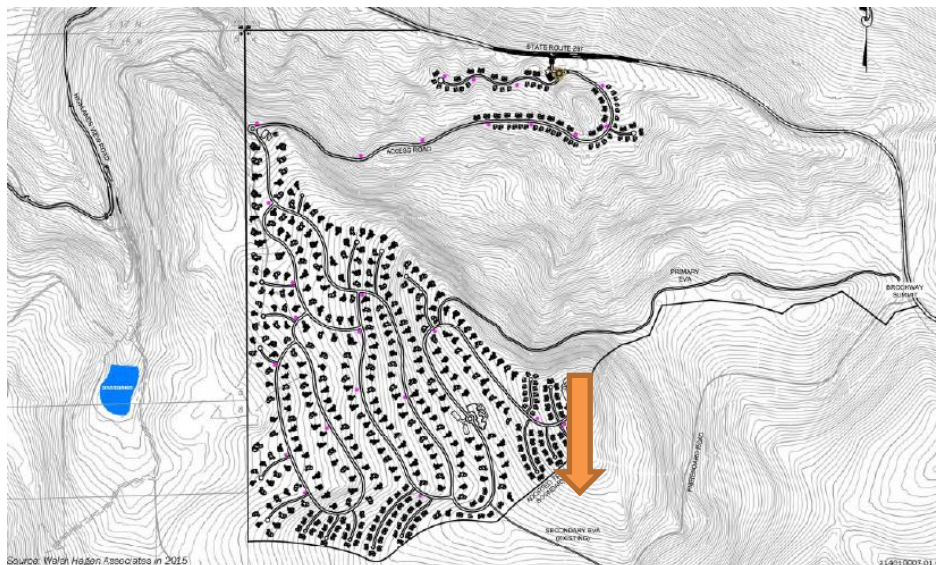


Exhibit 9-26

Conceptual Site Plan Used to Simulate Buildout of the Project Site



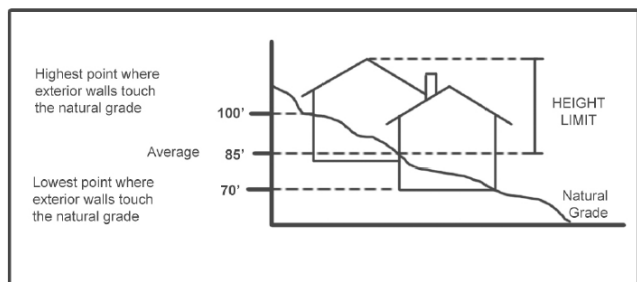
“Outdoor light fixtures for parking areas, buildings, pedestrian areas, and roadways would be shielded, directed downward to preserve the night sky, and directed away from residential areas to minimize light and glare effects on adjacent residences.” Page 3-19 DEIR. **Although lights will be pointed downward, any lights at the top of the ridge-line will illuminate that ridge where no light exists today.**

Building Heights

Table 3-3 presents the maximum proposed building heights (see the Development Standards in Appendix B of the Specific Plan). Most residences and cabins would have a maximum building height of three stories, not to exceed 42 feet above grade. Townhomes could be up to 50 feet in height; commercial buildings could be up to 60 feet; and condominiums could be up to 75 feet. In addition, per Specific Plan Policy LU-3.6 and Development Standards (MWWPSP Appendix B), building heights on the knoll shall not exceed 60 feet. Chimneys, vents, and other architectural or mechanical appurtenances on buildings may be a maximum of fifteen (15) percent higher than the height of the applicable zone. No building or structure would be constructed or altered to exceed the height limits identified in the MWWPSP. The height limits for buildings and structures would be measured in accordance with Placer County Zoning Ordinance, Section 17.54.020, as the vertical distance from the highest point of the structure to the average of the highest and lowest points where the exterior walls touch the natural grade (Exhibit 3-8).

| Structure | Maximum Proposed Height (above grade) |
|---|---------------------------------------|
| Single-Family Residences | 42 feet |
| Cabins | 42 feet |
| Townhomes | 50 feet |
| Commercial Buildings / Owner/Recreational Amenities | 60 feet |
| Buildings on the Knoll | 60 feet |
| Condominiums | 75 feet |

Source: Mountainside Partners 2015



Source: Placer County Zoning Ordinance, Figure 17.54-A

Exhibit 3-8

Measurement of Building Height

Building height is measured by grade not actual height that could be seen for Lake Tahoe as demonstrated in Exhibit 3-8. It may be acceptable to use this method to calculate height but does not represent height that will actually be visible and with associated lighting.

The Staff Report statements below about light and glare being less than significant are just plain false. There is NO LIGHT SOURCES on ridgetop today, nor does Northstar, Martis Camp buildout have any factor as they are not located on the ridge top.

Visual Impacts

Per the Draft EIR the project would not create an adverse effect on scenic vistas, will not damage scenic resources within a Placer County-designated scenic route, degrade the existing visual character or quality of the site or its surroundings, would not result in new sources of light and glare, create visual impacts during construction, However, cumulatively, the project would create an significant and unavoidable impact on light and glare. Future projects, including the Brockway Campground, could result in new light sources and glare from outdoor lighting, campfires, and vehicles headlights that might be visible from nearby recreation areas or Lake Tahoe. However, as depicted in Impact 9—4, light sources and glare from the project area would not be visible from the Lake Tahoe Basin, or nearby recreation areas such as the

Fibreboard Freeway. While future projects could result in new sources of light and glare visible from nearby recreation areas or the Lake Tahoe Basin, the MVWPSP would not substantially contribute to these effects. Therefore the MVWPSP would not result in a considerable contribution to cumulative impacts from light and glare visible from nearby recreation areas or the Lake Tahoe Basin.

Past and present projects within the Martis Valley have created substantial sources of light that have adversely affected nighttime views in Martis Valley. These sources of light would likely increase as a result of future projects including buildout of Martis Camp subdivision, implementation of the Northstar Mountain Master Plan, construction of the Northstar Highlands Phase II development, and other residential development within the Martis Valley. As show in Exhibit 9-34 of the Draft EIR, the existing nighttime views in Martis Valley are heavily influenced by lighting from residential neighborhoods and commercial and resort development. Light from the project would be less prominent than existing light sources and would not, by itself, result in a significant impact. However, while it is unlikely that all buildings would be simultaneously illuminated, the project would result in new light sources throughout approximately 662 acres that have no existing light sources. These new light sources from buildout of the MVWPSP would be clearly visible from Martis Valley and would introduce new light sources in a portion of the view that is not already affected by light, which would contribute to the existing adverse effects on nighttime views. Thus, the MVWPSP would result in a considerable contribution to a cumulatively significant impact on nighttime views.

TRANSPORTATION AND CIRCULATION (CHAPTER 10)

2. Impact 10-1: Impacts to intersection operations
3. Impact 10-2: Impacts to roadway segments
4. Cumulative Impact 10-8: Cumulative impacts to intersection operations
5. Cumulative Impact 10-9: Cumulative impacts to roadway segments

Any development on the east or west parcel threatens the exceedance of the Tahoe Basin maximum Vehicle Miles Traveled threshold along with the recently updated (2012) Tahoe Basin Regional Plan envisioned Goals and Policies and updated Code of Ordinances to concentrate development in Town Centers.
Level of Service F violates the MVCP. Alt 1: No Project achieves this objective.

The traffic analysis did not include truck trips for timber harvest on the east or west parcel with the proposed immediate overlay of TPZ requested in the EIR. The EIR must be re-circulated to accurately analyze traffic impacts.

The EIR consultant and Placer County avoid impact responsibility by stating CALTRANS is ultimately responsible for implementation. That said, Placer does not have a comprehensive plan with CALTRANS to begin to mitigate the LOS F standard that is being violated. You as commissioners must DENY the project until Placer County can, at the very least, provide a plan in this and all proposed projects environmental documentation to correct LOS F. Simply throwing \$\$\$\$ into an in-lieu fund in hopes enough will fill the coffer is absurd.

DEIR Mitigation info Executive Summary Section 2

| | | | |
|--|---|---|----|
| limited. | | | |
| 10 Transportation and Circulation | | | |
| Impact 10-1: Impacts to intersection operations The proposed project would worsen already unacceptable operations (i.e., already beyond the acceptable threshold) at the SR 267/I-80 WB Ramps, SR 267/Schaffer Mill Road/Truckee Airport Road and SR 267/Hillside View Road intersections during the winter peak hour. | S | Mitigation Measure 10-1a: Optimize signal timing at the SR 267/I-80 WB ramps intersection Prior to the Improvement Plan approval for the initial phase, the project applicant shall coordinate with Caltrans to optimize the traffic signal operation at the SR 267/I-80 WB Ramps intersection. Evidence shall be provided to the satisfaction of the Placer County | SU |
| NI = No impact, LTS = Less than significant, PS = Potentially significant, S = Significant, SU = Significant and unavoidable | | | |

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Placer County
 Martis Valley West Parcel Specific Plan Draft EIR

Ascent Environmental

Executive Summary

| Table 2-1 Summary of Impacts and Mitigation Measures | | | |
|---|---|---|-------------------------------|
| Impacts | Significance before Mitigation | Mitigation Measures | Significance after Mitigation |
| Impact 10-1: Impacts to intersection operations The proposed project would worsen already unacceptable operations (i.e., already beyond the acceptable threshold) at the SR 267/I-80 WB Ramps, SR 267/Schaffer Mill Road/Truckee Airport Road and SR 267/Hillside View Road intersections during the winter peak hour. | S | Engineering and Surveying Division and Placer County Department of Public Works that the optimization will be implemented by Caltrans as warranted, or that a good faith effort has been made by the applicant to coordinate with Caltrans. Mitigation Measure 10-1a: Optimize signal timing at the SR 267/Schaffer Mill Road/Truckee Airport Road intersection Prior to the Improvement Plan approval for the initial phase, the applicant shall coordinate with Caltrans to optimize the traffic signal operation at the SR 267/Schaffer Mill Road/Truckee Airport Road intersection. Evidence shall be provided to the satisfaction of the Placer County Engineering and Surveying Division and Placer County Department of Public Works that the optimization will be implemented by Caltrans as warranted, or that a good faith effort has been made by the applicant to coordinate with Caltrans. Mitigation Measure 10-1c: Provide signage on Hillside View Road for motorists to access SR 267 NB via Ridgeline Drive and Northstar Drive The Improvement Plans for the first development of residential units of the MWSP shall show the construction and installation of a message sign on Hillside View Road. The sign shall be located at a sufficient distance from the Ridgeline Drive intersection to alert motorists that access to northbound SR 267 is via Ridgeline Drive (left from Hillside View Road) and Northstar Drive (right from Ridgeline Drive), so as to access the traffic signal at the SR 267/Northstar Drive intersection. The message sign and its use during the winter peak traffic conditions shall be required in perpetuity. | SU |
| Impact 10-2: Impacts to roadway segments The proposed project would worsen traffic congestion on the five SR 267 segments between the Town of Truckee/Placer County Line and SR 28, resulting in a segment either degrading from acceptable LOS D to unacceptable LOS E, or exacerbating conditions on a segment operating at an unacceptable LOS E by an increase in V/C ratio of 0.05 or more, for both the summer and winter peak hours. | S | Mitigation Measure 10-2: Pay impact fee to Placer County for future roadway improvements to State Route 267 Prior to issuance of any building permits for each commercial or residential lot, the project shall be subject to the payment of traffic impact fees in effect for the Tahoe District, pursuant to applicable ordinances and resolutions. The applicant is notified that the following traffic mitigation fee(s) shall be required and shall be paid to the Placer County Department of Public Works: ▲ Countywide Traffic Limitation Zone: Article 15.28.010, Placer County Code The current total combined estimated fee for the entire project is \$3,685,511.42 (\$4,846 per single family residential unit). The fees were calculated using the information supplied. If the use or the square footage changes, then the fees will change. The actual fees paid shall be those in effect at the time the payment occurs. | SU |
| Cumulative Impact 10-8: Cumulative impacts to intersection operations The proposed project would worsen operations to unacceptable levels or exacerbate already unacceptable operations at the intersections shown in Table 10-18 and described below. ▲ SR 267/I-80 WB Ramps - operations would worsen as follows: ▸ Summer peak hour: LOS D to E (14 second increase in delay) | Would result in a considerable contribution to the cumulative | Cumulative Mitigation Measure 10-8a: Pay Placer County fee for future roadway improvements, including the SR 267/I-80 WB Ramps intersection Implement Mitigation Measure 10-2. The Town of Truckee TIF Program identifies the construction of a two-lane roundabout at this location. This improvement would reduce the traffic impact to a less-than-significant level during both the summer and winter peak hour under cumulative-plus-project conditions. | SU |

NI = No impact, LTS = Less than significant, PS = Potentially significant, S = Significant, SU = Significant and unavoidable

Placer County
 Martis Valley West Parcel Specific Plan Draft EIR

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| Table 2-1 Summary of Impacts and Mitigation Measures | | | |
|---|--------------------------------|--|-------------------------------|
| Impacts | Significance before Mitigation | Mitigation Measures | Significance after Mitigation |
| <ul style="list-style-type: none"> Winter peak hour: LOS F operations exacerbated (19 second increase in delay) SR 267/I-80 EB Ramps – operations would worsen as follows: <ul style="list-style-type: none"> Winter peak hour: LOS F operations exacerbated (10 second increase in delay) SR 267/Brookway Road/Soaring Way – operations would worsen as follows: <ul style="list-style-type: none"> Summer peak hour: LOS F operations exacerbated (delay exceeds 200 seconds) Winter peak hour: LOS F operations exacerbated (delay exceeds 200 seconds) SR 267/Schaffer Mill Road/Truckee Airport Road – operations would worsen as follows: <ul style="list-style-type: none"> Summer peak hour: LOS F operations exacerbated (delay exceeds 200 seconds) Winter peak hour: LOS F operations exacerbated (delay exceeds 200 seconds) SR 267/Highlands View Road – operation would worsen as follows: <ul style="list-style-type: none"> Summer peak hour: LOS F operations exacerbated (delay exceeds 200 seconds) Winter peak hour: LOS F operations exacerbated (delay exceeds 200 seconds) SR 267/Project Access Roadway – operation would exceed LOS threshold: <ul style="list-style-type: none"> Summer peak hour: LOS F operations Winter peak hour: LOS F operations <p>Six of the study intersections would operate at unacceptable LOS F under cumulative conditions with the proposed project, either degrading from an acceptable level of service or substantially exacerbating already unacceptable operations.</p> | impact | <p>Cumulative Mitigation Measure 10-8b: Pay Placer County fee for future roadway improvements, including the SR 267/I-80 EB Ramps intersection</p> <p>Implement Mitigation Measure 10-2. The Truckee TIF Program identifies the construction of a two-lane roundabout at this location. This improvement would reduce the traffic impact to a less-than-significant level during the winter peak hour under cumulative-plus-project conditions.</p> <p>Cumulative Mitigation Measure 10-8c: Pay Placer County fee for future roadway improvements, including the SR 267/Brookway Road/Soaring Way intersection</p> <p>Implement Mitigation Measure 10-2. The Truckee TIF Program identifies the construction of a roundabout or equivalent improvements at this intersection. The TIF Program also includes the widening of SR 267 on both sides of this intersection, which would essentially result in a two-lane roundabout at this intersection. This improvement would reduce the traffic impact to a less-than-significant level during the summer and winter peak hour under cumulative-plus-project conditions.</p> <p>Cumulative Mitigation Measure 10-8d: Pay Placer County fee for future roadway improvements, including the SR 267/Schaffer Mill Road/Truckee Airport Road intersection</p> <p>Implement Mitigation Measure 10-2. The Placer County CIP identifies improvements to this intersection as well as the widening of SR 267 to four lanes on both sides of this intersection. The widening of this intersection with either signalization or the construction of a two-lane roundabout would reduce the traffic impact to a less-than-significant level during the summer and winter peak hours under cumulative-plus-project conditions.</p> <p>Cumulative Mitigation Measure 10-8e: Provide signage on Highlands View Road and pay Placer County fee for future roadway improvements</p> <p>Implement Mitigation Measures 10-1c and 10-2. The Placer County CIP includes the widening of SR 267 to four lanes on both sides of this intersection. The widening of this intersection, along with the project-specific mitigation of providing signage on Highlands View Road for motorists to access SR 267 northbound via Ridgeline Drive and Northstar Drive, would reduce the impact to a less-than-significant level during the summer and winter peak hours under cumulative-plus-project conditions.</p> <p>Cumulative Mitigation Measure 10-8f: Pay Placer County fee for future roadway improvements, including the SR 267/Project Access Road intersection</p> <p>Implement Mitigation Measure 10-2. The Placer County CIP includes the widening of SR</p> | |

NI = No impact, LTS = Less than significant, PS = Potentially significant, S = Significant, SU = Significant and unavoidable

Level Service of F is clearly identified in the mitigation above and violates MVCP policy 5.A.8 and 5.A.10 (full text of policies below)

The FEIR response does not recognize that just because the impact is significant and unavoidable doesn't mean it doesn't violate the MVCP policy 5.A.8 The County's LOS standard for State Route 267 shall be no worse than E. **The Commission must DENY the MVWPSP as proposed as it violates the MVCP. Paying mitigation fees do not remove the Level of Service F problem. Furthermore, Placer County has not provided adequate transportation systems (future plans?) that will get folks out of their cars. The proposed MVWPSP relies on a Significant and Unavoidable impact tactic and does meet the MVCP policy as Placer County has not achieved a balanced transportation system.** 5.A.10 The County shall strive to meet the level of service standards through a balanced transportation system that provides alternatives to the automobile.

| Table 2-1 Summary of Impacts and Mitigation Measures | | | |
|---|--|---|-------------------------------|
| Impacts | Significance before Mitigation | Mitigation Measures | Significance after Mitigation |
| | | 267 to four lanes on both sides of this intersection. Although the widening of this intersection plus the installation of a traffic signal or two-lane roundabout would result in acceptable levels of service, Caltrans would not support either signalization or a roundabout because of the steep grade of SR 267 (over 4 percent) at this location and the resulting potential of rear-end collisions, especially in snowy conditions (Bruke, pers. comm., 2015). Therefore, LOS F conditions would remain at this intersection during both the summer and winter peak hours. | |
| <p>Cumulative Impact 10-9: Cumulative impacts to roadway segments</p> <p>The proposed project would exacerbate already unacceptable operations, as shown in Table 10-13 and described below.</p> <p>Although widening of SR 267 from two to four lanes from Brookway Road to the Town of Truckee/Placer County line is included in the Town of Truckee TIF Program, and from the County line to Brookway Summit in the Placer County CIP, SR 267 was assumed to remain two lanes under cumulative conditions for reasons described above. As a two-lane highway, SR 267 would operate at unacceptable levels of service on five of the seven study segments during the summer peak hour without the proposed project, and all seven segments would operate at unacceptable levels of service during the winter peak hour without the proposed project.</p> <p>For the two SR 267 segments located in the Town of Truckee, the project would result in a significant impact on the segment from Brookway Road to the Town of Truckee/Placer County line during the winter peak, as the project would increase the V/C ratio by 0.05 (an increase by 0.05 or more is considered significant).</p> <p>For the five SR 267 roadway segments located in Placer County, the project would result in a significant impact at all five segments during both the summer and winter peak hours, in all cases because it would result in an increase in V/C ratio of 0.05 or greater than segments projected to operate unacceptably without the project.</p> | Would result in a considerable contribution to the cumulative impact | <p>Cumulative Mitigation Measure 10-9: Pay Placer County fee for future roadway improvements</p> <p>Implement Mitigation Measure 10-2. The widening of SR 267 to four lanes from Brookway Road to Brookway Summit would result in LOS D or better traffic operations on the study segments from Brookway Road to the Project Access Roadway during the summer and winter peak hours. As previously discussed, the widening of SR 267 to four lanes from Brookway Road to Brookway Summit is identified in both the Town of Truckee TIF Program and the Placer County CIP. The project would pay traffic impact fees that could be used for those portions of SR 267 located within Placer County. The Placer County CIP does not include widening of SR 267 from Brookway Summit to SR 28; therefore, there would be no feasible mitigation for the significant impact of the project on the roadway segment from the Project Access Roadway to SR 28.</p> | SU |
| <p>Cumulative Impact 10-10: Cumulative impacts to freeway facilities</p> <p>As shown in Table 10-20, the study freeway facilities are expected to operate at acceptable levels of service under cumulative conditions. The addition of project generated traffic to the cumulative no project conditions freeway on- and off-ramps at the SR 267/I-80 interchange would not degrade operations to unacceptable levels during the summer and winter peak hours.</p> | Would not result in a considerable contribution to the cumulative | No mitigation is required. | LTS |

NI = No impact, LTS = Less than significant, PS = Potentially significant, S = Significant, SU = Significant and unavoidable

FEIR Response

- IO51-54** The comment suggests that the project would violate MVCP policy 5.A.8. As noted in Appendix D of the Draft EIR, SR 267 is a Caltrans facility; therefore, the EIR analysis of impacts to SR 267 was based on the Caltrans LOS standards. In the five SR 267 segments studied between the Town of Truckee/Placer County Line and SR 28, the MVWPSP would worsen traffic conditions, resulting in a segment either degrading from LOS D to LOS E, or exacerbating conditions on a segment operating at LOS E by an increase in V/C ratio of 0.05 or more, for both the summer and winter peak hours. As shown in Table 10-13 of the Draft EIR, the SR 267 segments would operate at LOS D or E under existing plus project conditions. Furthermore, prior to issuance of any building permits, the project shall be subject to the payment of traffic impact fees in effect for the Tahoe District, pursuant to applicable ordinances and resolutions, to the Placer Countywide Traffic Fee Program for its fair share of identified capital improvements.

The DEIR stated several road segments would be Level of Service F (see pages above) while the FEIR response above ignores the impacts and hides behind significant and unavoidable as acceptable.

Corridor Connection Open Houses Is Transportation Going in the Right Direction?

May 17 at the North Tahoe Events Center in Kings Beach, and Tuesday, May 24, 2016

Lake Tahoe's two regional bi-state agencies for transportation, the Tahoe Regional Planning Agency (TRPA) and Tahoe Transportation District (TTD), are inviting the public to attend interactive open houses this month to learn more about draft proposals to improve Tahoe's highway corridors and share their ideas and input.

"Protecting Tahoe's beauty while accommodating all who enjoy it is a true balancing act. Projections show the number of annual visits increasing by up to 20% in the next 20 years. What will the impacts be on air/water quality and transportation? Share your input on potential solutions for connecting Tahoe's transportation corridors and improving access for residents and visitors."

Recent transportation meetings held by the TRPA predict even more traffic in the Tahoe Basin as stated above. The Martis Valley West Parcel Project (outside the basin) will contribute impacts to inside the basin and must be analyzed and project reduction seriously considered.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE (CHAPTER 12)

6. Impact 12-2: Operational greenhouse gas emissions

Any development on the east or west parcel threatens the exceedance of the Tahoe Basin maximum Vehicle Miles Traveled threshold along with the recently updated (2012) Tahoe Basin Regional Plan Goals and Policies and updated Code of Ordinances to concentrate development in Town Centers.

The Alt 1: No Project achieves this objective

7. Cumulative Impact 12-4: Cumulative greenhouse gas emissions

Any development on the east or west parcel threatens the exceedance of the Tahoe Basin maximum Vehicle Miles Traveled threshold along with the recently updated (2012) Tahoe Basin Regional Plan Goals and Policies and updated Code of Ordinances to concentrate development in Town Centers.

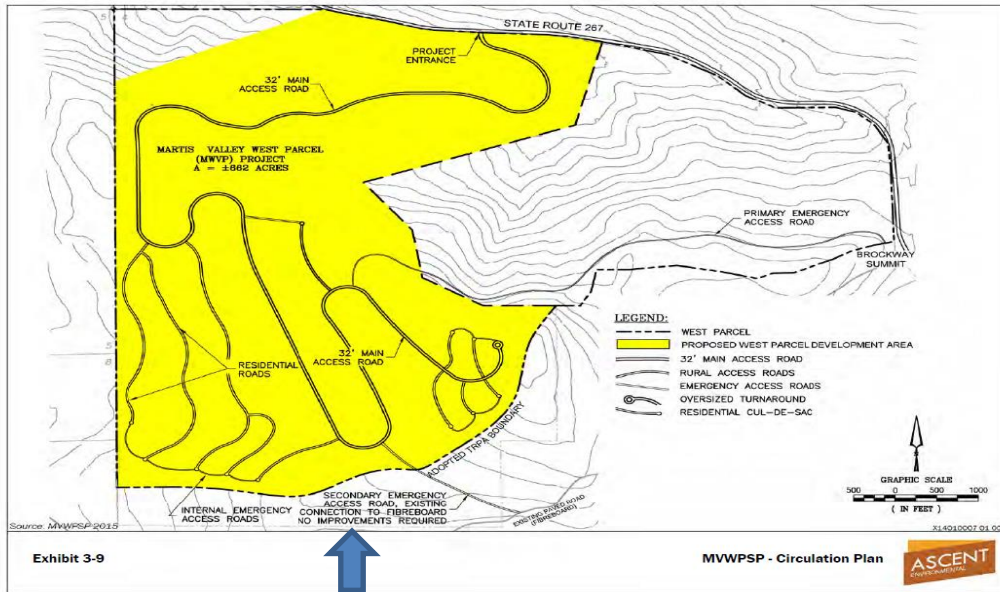
The Alt 1: No Project achieves this objective

Page 5 of the Executive Summary in the DEIR does not list Impact 12-4 as significant and unavoidable but Page 53 does as does the staff report. The EIR documentation must be consistent.

You as a commission must ask yourselves: How many Significant and Unavoidable impacts are allowed before a project is just not practical and should be DENIED?

IV. EVACUATION: PROPOSED SECONDARY EMERGENCY VEHICLE ACCESS ROAD CRITERIA

Exhibit 3-9 states No improvements to logging road connecting to Fiberboard Freeway is required. Section 503 Fire Apparatus Access Roads states otherwise. As do comments from North Tahoe Fire District, PRC 4290 and Placer Code 15.04.710 Fire Code amended.



The FEIR completely failed to adhere to Fire Code, related Placer County code, etc. as provided below. The FEIR states an existing dirt road is sufficient and no improvements are necessary. You must **DENY** the FEIR and request re-circulation of EIR to address the inadequate secondary EVA road proposed based on code requirements. With the road improvement requirements the impacts (road construction, traffic from construction, etc.) to the Tahoe basin onto the Fiberboard Freeway (which is clearly identified in several maps in the DEIR and FEIR) must be completed.

SECTION 503 FIRE APPARATUS ACCESS ROADS

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

503.1.1 Buildings and facilities. *Approved* fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an *approved* route around the exterior of the building or facility.

Exception: The *fire code official* is authorized to increase the dimension of 150 feet (45 720 mm) where:

1. The building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an *approved* alternative means of fire protection is provided.
3. There are not more than two Group R-3 or Group U occupancies.

503.1.2 Additional access. The *fire code official* is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

503.1.3 High-piled storage. Fire department vehicle access to buildings used for *high-piled combustible storage* shall comply with the applicable provisions of Chapter 23.

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

[California Code of Regulations, Title 19, Division 1, §3.05(a)] Fire Department Access and Egress. (Roads)

(a) Roads. Required access roads from every building to a public street shall be all-weather hard-surfaced (suitable for use by fire apparatus) right-of-way not less than 20 feet (6096 mm) in width. Such right-of-way shall be unobstructed and maintained only as access to the public street.

Exception: The enforcing agency may waive or modify this requirement if in his opinion such all-weather hard-surfaced condition is not necessary in the interest of public safety and welfare.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for *approved* security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

503.2.2 Authority. The *fire code official* shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be determined by the *fire code official*.

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an *approved* area for turning around fire apparatus.

503.2.6 Bridges and elevated surfaces. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the *fire code official*. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, *approved* barriers, *approved* signs or both shall be installed and maintained when required by the *fire code official*.

503.2.7 Grade. The grade of the fire apparatus access road shall be within the limits established by the *fire code official* based on the fire department's apparatus.

503.2.8 Angles of approach and departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the *fire code official* based on the fire department's apparatus.

503.3 Marking. Where required by the *fire code official*, *approved* signs or other *approved* notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which *fire lanes* are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times.

503.5 Required gates or barricades. The *fire code official* is authorized to require the installation and maintenance of gates or other *approved* barricades across fire apparatus

access roads, trails or other access ways, not including public streets, alleys or highways. Electric gate operators, where provided, shall be *listed* in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

503.5.1 Secured gates and barricades. When required, gates and barricades shall be secured in an *approved* manner. Roads, trails and other access ways that have been closed and obstructed in the manner prescribed by Section 503.5 shall not be trespassed on or used unless authorized by the *owner* and the *fire code official*.

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be *approved* by the fire chief. Where security gates are installed, they shall have an *approved* means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be *listed* in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

The FEIR included Martis Valley West Parcel Specific Plan **Emergency Preparedness and Evacuation Plan -----Draft--**
-- Prepared for Placer County Prepared by Mountainside Partners May 2016
But ignores its mandatory language. See code below

3.1.4 Placer County Fire Code

Placer County has adopted the 2013 California Building Code, Title 24 of the California Code of Regulations, and the 2013 Fire Code (Sections 15.04.700 and **15.04.710 Fire Code Amendment**). The Fire Code addresses emergency access, access gates, sprinkler systems, fire alarms within buildings, and construction of **access roads to accommodate fire apparatus**. The Fire Code requires that an automatic fire sprinklers and/or fire extinguishing system be installed throughout new one- and two-family dwellings and commercial buildings 3,600 square feet and larger.

Placer County Code: 15.04.710 Fire Code amended. For reference

The California Fire Code adopted in Section 15.04.700 is modified, amended and/or supplemented as follows:

A. 1. The California Fire Code (CFC) as adopted above with approved amendments and appendix chapters, and all State Fire Marshal codes delegated to local agencies, are to be enforced by the chief of each fire district, CSA, or as designated by contract. In the absence of the above, the Placer County fire warden shall act as the county fire marshal. Where provisions in the CFC conflict with other statutes/regulations or county ordinances, including, but not limited to, the Placer County Land Development Manual, the most restrictive shall govern.

2. Pursuant to State Health and Safety Code Section 13869.7, all fire district amendments to the CFC will be valid after such amendments are first authorized by the fire district board and then approved by the board of supervisors.

B. Section 103.1, Department of Fire Prevention - General, is amended by replacing the first paragraph with the following:

The Chief of a fire department/district, with the written approval of the Board of Directors of the particular fire department is authorized to make and enforce such rules and regulations for the prevention and control of fires and fire hazards as may be necessary from time to time to carry out the intent of this Code. Three certified copies of such rules and regulations shall be filed with the Clerk of the jurisdiction and shall be in effect immediately thereafter. Pursuant to State

Health and Safety Code Section 13869.7, rules and regulations that involve building standards will be valid when approved by the Board of Supervisors.

C. Section 108, Board of Appeals, is amended by replacing the first paragraph with the following:

In order to determine the suitability of alternate materials and type of construction and to provide for reasonable interpretation of the provisions of this code, there is hereby appointed a board of appeals consisting of the board of directors of each fire protection district for matters within their jurisdiction and the Placer County Building Board of Appeals in the remaining areas of the County. The Chief shall be an ex-officio member of the Board and shall act as secretary to the Board. The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the chief with a duplicate copy to the appellant and may recommend to the Executive Body such new legislation as is consistent therewith.

D. Chapter 1 Section 109.3, Notice of Violation, is amended by adding the following:

The Chief of any fire department/district within the County or his/her authorized representatives shall have authority to enforce this code and issue citations for violations in their respective jurisdiction.

E. Section 202, Definitions. Add the following:

Fire Hydrant: shall mean a hydrant supplied by a 6-inch or larger branch line, one or more pumper connection (4 1/2 inch) and 2 or more 2 1/2 inch outlets, capable of supplying required fire flow for at least 2 hours.

Section 502 Definitions. Add the following:

Emergency Vehicle Access and occupant emergency egress/evacuation roads: Use - Access for emergency vehicles during an emergency. Emergency egress/evacuation for residents during an emergency. Size - Roadways shall meet the requirements of the local authority having jurisdiction but shall not be less than the requirements set in PRC 4290 and Placer County Code.

O. Appendix D, Fire Apparatus Access Roads is adopted and amended as follows:

D102.1 amended to read:

Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete, or other approved driving surface capable of supporting the imposed load of fire apparatus as determined by the fire authority having jurisdiction but no less than 40,000 pounds.

Additional code reference: Title 14, California Code of Regulations, Section 1270, et seq : Structural Fire Prevention Field Guide

<http://cdfdata.fire.ca.gov/pub/fireplan/fpupload/fppguidepdf83.pdf>

Article 2. Road Standards for Fire Equipment Access

8.4

Infrastructure

8.4a

Access

Access is a major fire prevention and protection need, whether wildland or structural. Failure to provide reasonable access for emergency equipment and evacuation exits for civilians can result in major loss of life, property and natural resources. Fire apparatus sitting at an intersection, waiting for civilians to exit on

a narrow road, cannot provide the necessary fire suppression action. Safe access requires street and road networks that limit dead-end roads and provide reasonable widths, grades and curves on all roads and driveways. Road networks should provide unobstructed traffic circulation during a wildfire emergency. CDF recommends two separate points of ingress/egress to each development. Alternate routes of escape that will safely handle evacuations and emergency equipment should be established. Road and street systems should provide maximum circulation consistent with topography to meet fire safety needs. The following standards are recommended for subdivisions:

Access Routes

- PRC 4290 requires at least two different public ingress/egress routes on all roads.

Road Width

- All roads shall be constructed to provide a minimum of two nine-foot traffic lanes providing two-way traffic flow. Additional requirements shall be mandated by local jurisdictions.

Roadway Surface

- The surface shall provide unobstructed access to conventional drive vehicles, including sedans and fire engines. **Surfaces should be established in conformance with local ordinances and be capable of supporting a minimum 40,000-pound load.**

Roadway Grades

- The grade for all roads, streets, private lanes and driveways shall not exceed 16 percent.

Roadway Radius

- No roadway shall have a horizontal inside radius curvature of less than 50 feet. Additional surface width of 4 feet shall be added to curves of 50-100 feet radius--2 feet to those from 100-200 feet. The length of vertical curves in roadways, exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than 100 feet

PRC 4290. The regulations shall include all of the following:

(1) Road standards for fire equipment access.

- (2) Standards for signs identifying streets, roads, and buildings.
- (3) Minimum private water supply reserves for emergency fire use.
- (4) Fuel breaks and greenbelts.
- (b) These regulations do not supersede local regulations which equal or exceed minimum regulations adopted by the state.

North Tahoe Fire District EIR comments stated the access requirements and capacity of SR 267 are already unacceptable. Also secondary Emergency Vehicle Access (EVA) issues related to Fiberboard Freeway access and use needs to be addressed through the development of a **fully paved access road**. The FEIR comments were vague and dismissive. Project specific effects have not been adequately analyzed. **The FEIR must be DENIED as proposed and re-circulated to include the appropriate requirements be mandatory as stated by fire code and fire experts. Inadequate mitigation and lack of public safety responsibility is non-existent when addressing the secondary EVA.**

V. WORKFORCE HOUSING REQUIREMENT

The MVWPSP has been revised to provide for workforce housing on the project site rather than payment of an in-lieu fee. Consistent with Placer County General Plan Policy C-2, a dedication of land to Placer County within the MVWP site is proposed. The proposed employee housing site is located within the developable portion of the plan area, adjacent to the proposed transit shelter (see Exhibit F2-1 on the following page). This dedication of land is intended to provide workforce housing at important milestones as well as to allow Placer County to adapt to regional needs over the course of time. The dedication of land would meet the requirements of Policy C-2. At the May 2016 NTRAC meeting the applicant answered that land would be set aside but they would not be developing the workforce housing. The dedicated lands would be restricted to workforce housing development. The employee housing site could contain up to 21 units. Those units would be subtracted from the total proposed unit count of 760 for the proposed development; therefore, the total number of units allowed within the project site would not exceed 760. As discussed briefly below, the impacts of the proposed housing land dedication have been fully analyzed in this Draft EIR (because the total unit count and disturbed acreage would not change), and the conclusions of the EIR have not changed. As discussed above, the provision of workforce housing on the project site would be consistent with Placer County General Plan Housing Policy C-2, which requires that each project provide housing or an in-lieu fee to support housing for half its total FTE employees. Impact 6-3, Provision of Employee Housing, would remain less than significant.

At the May 2016 North Tahoe Advisory Council meeting the applicant admitted they were only setting the land aside and not building the actual workforce housing. The FEIR stated one option of 6.9 acres of project site land to be dedicated while the staff report changed to in-lieu fee. The MVCP requirement is unmet for affordable housing as well as the Placer General Placer provision not being met. This is an unacceptable method to avoid building much need affordable/workforce housing.

Page 11 MVCP E. MAJOR PLAN AREA FINDINGS LAND USE

Environmental constraints, market and economic conditions, population demographics, and the interest of numerous parties define existing land use conditions in Martis Valley. In addition, the presence of the Truckee-Tahoe Airport, Martis Reservoir, the Martis Creek National Recreation Area, and the U.S. Forest Service require that land use issues and considerations in Martis Valley involve a number of local, state, and federal agencies.

The 1975 Martis Valley General Plan and the 1994 Placer County General Plan anticipated the build out population of Martis Valley between 22,000 and 25,262 residents, with a potential development capacity between 8,627 primary dwelling units and 17,100 dwelling units of all types. However, development in Martis Valley has not occurred in a manner or at an intensity consistent with these projections. Instead, restrictions on development in the Lake Tahoe Basin and the recreational needs of weekend populations have led to the development of secondary homes in recreation-based communities, and little housing for permanent residents and a lower than expected overall population.

HOUSING

Housing and development restrictions within the Lake Tahoe Basin as well as area housing costs have created an affordable housing shortage within the area. Restrictions within the Lake Tahoe Basin were established to manage the land use and resources of the Lake Tahoe region, based upon environmental protection and the encouragement of recreation-oriented land uses. Development restrictions within the Tahoe Basin have caused surrounding areas to absorb increased growth pressures. Housing projects in the area tend to be second home in nature (i.e., seasonal use) and are generally not considered affordable. Private landowners generally do not propose affordable housing developments because of the high land values and the recreational oriented land use of the area. Similar to other areas in the region, the recent developments within Martis Valley cater to a second home or recreational home market. These projects are not designed to meet permanent housing needs. The developments have responded to a market for relatively expensive second homes with access to seasonal recreational facilities and activities that are oriented toward winter or summer. Martis Valley developments have generally been designed for more affluent individuals and families, not for low and middle-income families. The projects create a need for affordable housing that is not being met within the developments. Most of the jobs created by the vacation and resort industry are seasonal and/or relatively low paying hourly positions that do not provide sufficient income to rent or purchase housing in the area.

The FEIR response (below) like other projects have been approved and then asked that the affordable component be changed as evidenced by the Resort at Squaw Creek requesting to pay in-lieu fees instead of building workforce housing

(which was approved in EIR) and the recently approved Mitigated Negative Declaration for the Tahoe Expeditionary Academy location being allowed where workforce housing was slated. Now Martis Fund will pay in-lieu fees and give some funding for another future location yet to be identified.. The Railyard project in Truckee is providing an affordable component so the Martis Valley must identify a location within the Martis Valley not Truckee, not Glenshire and not Tahoe Basin. How many suitable locations remain in the Martis Valley for much needed affordable housing? If you add up the number of units a large parcel needs to be purchased by Placer County according to how the in-lieu fees have been put into a general fund type mitigation fund with no current accountability identified as to how much actually exists in that in-lieu fund and how much will cost to actually build the affordable units.

When will this stop and actual housing be built? This project must not just identify lands but build the actual units. The EIR states that 50% of the affordable requirement must be part of the project.

Below: From Staff Report, released June 2, 2016 referencing Development Agreement also released June 2, 2016. It is impossible to read and comment on all the documentation released (FEIR May 7, 2016, 340 pg staff report, Development Agreement, Specific Plan Development Standards, etc.

Workforce / Employee Housing Component

The applicant originally proposed to pay an in-lieu fee to satisfy the Affordable / Workforce Housing component. The payment of an in-lieu fee was analyzed in the Draft EIR. Subsequent to the release of the DEIR, the applicants revised their employee housing proposal and proposed the dedication of 6.9 acres of land at the entrance to the project site for the construction of 22 employee/workforce housing units. The analysis of the dedication of land was then introduced in the Final EIR. Through Development Agreement discussions with the applicant and staff, two options are now proposed. This is discussed in further detail within the *Development Agreement* section of this staff report.

Employee Housing Proposal:

The Project is expected to generate between 66.58 and 122.68 new full-time equivalent (FTE) employees. Consistent with Placer County General Plan Housing Policy C-2, the Developer must provide housing for half of the total FTE (between 33.29 and 61.34 employees). The General Plan Housing Policy C-2 allows for the workforce housing obligations to be met by construction of units onsite, construction of units offsite, dedication of land and / or payment of an in-lieu fee.

To satisfy the workforce housing obligation, construction of units offsite was not considered as part of this proposal as an offsite location was never identified nor analyzed. Initially, the developer proposed to pay an in-lieu fee to Placer County to meet their employee housing obligation. As proposed, the in-lieu fees would be applied to a Placer County controlled trust that funds workforce housing mortgage or rental subsidy programs in Martis Valley, and would be disbursed at Placer County's discretion. While payment of an in-lieu fee is an option to satisfy one's workforce housing obligation, there is no adopted Placer County workforce housing mortgage or rental subsidy program, consequently the developer withdrew its proposal.

The Developer subsequently proposed to dedicate a ±6.9 acre site near the entrance of the development, stub backbone infrastructure to the site concurrent with the construction of the proposed project's backbone infrastructure (Phase 0) and allocate 21 units out of its 760 residential unit capacity in the proposed specific to this site. Dedication of land is an option to consider to satisfy the workforce housing obligation. 21 units is projected to fully satisfy the workforce housing obligation, assuming a blended average of 2-bedroom units, however the proposal shifts the ultimate burden for construction

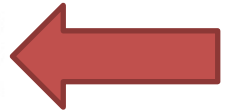
Page 42

and construction financing of the units to the County. In order for County staff to consider a land dedication option, staff weighed whether or not the site could qualify for outside funding sources such as tax credits that are needed to support construction costs. Ideally a site would need to be near transit, neighborhood services such as grocery stores, and near public services. If tax credits cannot be obtained, the County would need to seek other outside funding sources or finance the construction costs itself. Therefore, CDRA staff rejected the land dedication site as CDRA staff felt the site would not compete well for tax credits. The ability to obtain tax credit financing is critical for the County to assume the obligation to construct units on that site

Staff countered with the developer to assume the responsibility to construct workforce housing units onsite. Construction of units onsite is also an option under Housing Policy C-2. Staff proposed construction of a minimum of 21 units to meet the full time employee equivalent (FTEE) obligation of 61. The FTEE per unit constructed is calculated as follows: Studio Unit = 2 FTEE, 1-bedroom unit = 2 FTEE, 2-bedroom unit = 3 FTEE, and 3-bedroom unit = 4 FTEE. A minimum of 50% of the units (10) will be constructed prior to the recordation of the Final Subdivision map that creates the 246th lot. Developer would be required to construct onsite the remaining 50% of the employee housing units (11) prior to the recordation of the Final Subdivision Map that creates the 492nd lot. The units could be rental and/or ownership units as later outlined in detail in the developer's Housing Mitigation Plan. Staff also proposed that employee housing units be provided for household incomes within 60-140% of Area Median Income (AMI), with a mix of studio, one, two, or three bedroom units. The developer indicated It did not support this option citing concerns with the financial feasibility of the development with this full burden, and difficulty with insurance provisions on the likely product type, condominiums. Staff indicated that it could consider an alternative solution, but would keep as an option construction of units on-site.

Another example of this documentation needed more time red arrow typo lactation should be location. Also the FEIR provided maps for the 6.9 acres the in-lieu fee was not discussed in FEIR- New info introduced.

CDRA staff entered into negotiations with the developer for an in-lieu fee option so long as the fee was sufficient in size to help finance the construction of workforce housing in an appropriate location that would leverage other outside funding sources including tax credits to complete a workforce housing project. This option would shift the ultimate burden for construction of the units to the County, however, with a large enough sum of cash, would allow the County to choose a site better suited for leveraging outside funding sources and mitigating burdens on the County to finance the construction of a project. County staff has experience leading projects such as the Domus affordable housing project in Kings Beach and the Quartz Ridge affordable housing project in the Auburn-Bowman area, working with affordable housing developers to successfully prepare financing packages to qualify for tax credits.



Staff negotiated with the developer to pay the County a fee of \$2,450,000 in increments as described below:

- a. \$1,837,500 payable to the County prior to the recordation of the first small lot final map; and;
- b. \$612,500 payable to the County prior to the recordation of the small lot final map that creates the 460th lot or unit.

Staff reviewed the Town of Truckee's in-lieu fee as well as other metrics including amounts that would be needed to subsidize rents to an affordable level to arrive at a negotiated fee amount. Staff was supportive of the amount as it was an amount such that 75% would be payable early on in the project, prior to the recordation of the first small to subdivision map, regardless of the amount of units proposed for construction to allow the County to seek other more appropriate opportunities to leverage funds to construct units.

While CDRA staff is working through options for an in-lieu fee ordinance, there currently does not exist an ordinance providing specific parameters for an in-lieu fee and guidelines for a developer to meet its workforce housing obligations. Staff proposed options to allow the developer to meet its workforce housing obligation in conformance with Housing Element Policy C-2 including construction units on site or payment of a fee sufficient enough for the County to take on the obligation to construct the units to allow for flexibility to meet the workforce housing obligations.

In addition to the above options to satisfy Developer's workforce housing obligation, the Developer agreed to also provide the County with a one-time payment of \$125,000 toward regional employee housing initiatives as determined by the County for the Tahoe-Sierra Region. The Regional Employee Housing Contribution shall be paid in full prior to the approval of the improvement plans for Phase 0. If the County has not received the Regional Employee Housing Contribution within five (5) years from the Effective Date of this Agreement, then the amount due and payable to the County for the Regional Employee Housing Contribution will increase to \$175,000 payable in full prior to the approval of the improvements plans for Phase 0. This Regional Employee Housing Contribution will support critical regional efforts to support the enhanced supply of workforce housing and is above and beyond requirements to meet workforce housing contributions described above.

DEIR: Impact 6-3: Provision of employee housing The FEIR removed this and Staff Report dated June 2 added this option again (above)

The project is expected to generate between 66.58 and 122.68 new full-time equivalent (FTE) employees. Consistent with Placer County General Plan Housing Policy C-2, the project must provide housing or an in-lieu fee to support housing for half the total FTE (between 33.29 and 61.34). MVWPSP Policies LU-HS1 through LU-HS5 require the project to comply with this requirement, which is anticipated to be met by payment of the in-lieu fee. Because the employee housing requirement would be met by a County-approved method, this impact would be less than significant.

As presented in Table 6-5, the proposed MVWPSP is expected to generate an annual average of between 66.58 and 122.68 new FTE employees. The Placer County General Plan requires that new development in the Sierra Nevada provide housing for a minimum of 50 percent of the FTE employees generated by a development project. Therefore, the project would be required to provide housing for between 33.29 and 61.34 new FTE employees.

The EIR states a minimum of 33 units. A unit definition should be for one person. The FEIR proposes 6.9 acres to be set aside for future housing of 21 units.

Simple math $33+61=94/2=47$ units necessary to meet the 50% requirement. Land dedication isn't fully mitigating the need to build the units. Two and three bedroom units are less desirable and more expensive

Simply throwing \$\$\$\$ into an in-lieu fund in hopes enough will fill the coffer is absurd.

VI Development Agreement, Development Standards, Approvals

17.60.060 Development review committee.

A. Appointment and Duties. A development review committee (DRC) is established to perform the following duties:

1. To review all administrative review, minor and conditional use permit, variance, rezoning, zoning ordinance amendment applications, specific plans, general plan amendments, and development agreements as a staff project review group to advise the planning director, zoning administrator, planning commission and board of supervisors on such applications.

C. Decisions of the Committee. Decisions by the development review committee (DRC) on the recommendations it forwards to the zoning administrator, the planning commission and/or the board of supervisors shall be unanimous to enable a recommendation for approval of the application. Where one member of the DRC opposes a recommendation for approval of an application, the recommendation of the committee shall be for denial of the application. (See Section 17.58.070 (Staff report and recommendations) for requirements regarding report content and reasoning for recommendation.) (Ord. 5373-B, 2005; Ord. 5126-B, 2001)

When did the Development Review Committee meet and determine the recommendation to approve the 9 items listed in Staff reports being recommended? The public/agencies were not provided meeting minutes showing the vote as unanimous as required by code.

The Development Standards reference the Lake Tahoe region as being part of the property. The EIR profusely states this project is not within the Tahoe basin or affects the Tahoe region. Clearly this is misleading as cumulative traffic impacts alone cannot be ignored. Furthermore, the narrative is misleading by stating that care is being taken with tree location to allow visual balance. Defensible space is not accounted for in the EIR tree removal analysis, infrastructure location, and road networks will remove more trees than the mitigation and narrative states. That coupled with buildings atop a ridge at heights up to 75 feet that share a boundary line with the Tahoe Basin at a 7,000+ elevation is a recipe for scenic violation of the Tahoe basin.

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Development Standards

1. Design Concept & Guiding Principles

a. Relationship to Natural Setting

MWPPSP property is located within Martis Valley and the Lake Tahoe region - a place of extreme natural beauty, rich history, and spectacular recreation. The primary objective of all architectural design, site planning and landscaping is to preserve this unique identity, build in harmony with the rugged natural beauty intrinsic to this site and to provide recreational opportunities for visitors and residents.

The vision of MVWPSP is one of an active, year round, recreational community built with care and sensitivity through architecture and landscape that reflects Martis Valley's heritage and blends into, rather than dominates, its natural setting. The Specific Plan has carefully located the residences to rest lightly within the landscape, with higher density in clustered areas in order to preserve expansive open space and conservation areas. The Specific Plan defines development areas and conservation areas to minimize change to natural topography, landform and the outstanding natural landscape features in the region, views and view-sheds.

Proper design and siting of buildings on each site will include careful consideration of existing terrain and natural features of the site. Any proposed design shall take into account grade changes, locations of trees, boulders, and orientation of the proposed improvements to sun, wind, and views (Fig 1.a). The development standards and design guidelines include implementation of the following site planning objectives:

- retain existing trees and minimize site disturbance to allow the visual balance of landscape and architecture,
- provide transitional places that blur the line between indoor and outdoor spaces, and
- provide architectural expression with authentic use of natural material and building form as suitable for the topography and natural setting.

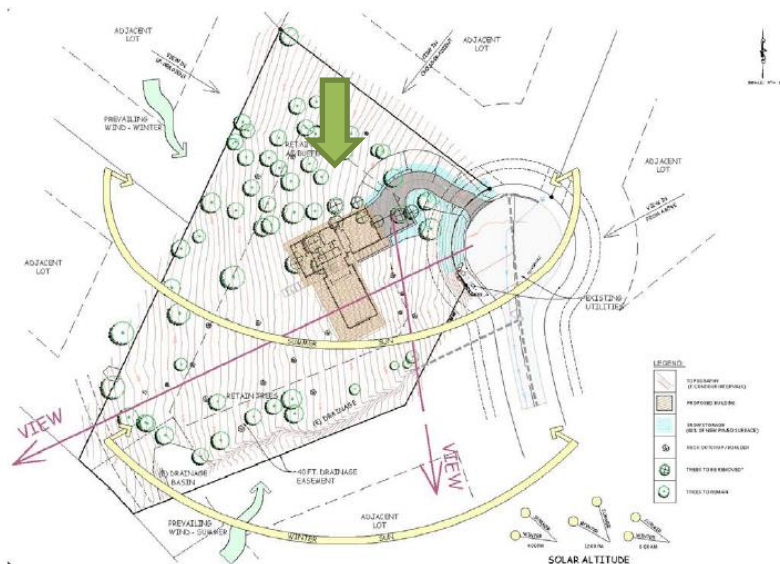


Fig 1.a

Figure 1.a is an example of proper design and siting of a building based on numerous factors and careful consideration.

Clearly the trees do not reflect the proper defensible space requirements so the narrative must be revised to reflect the correct information

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b. Recreation Opportunities

The project will be designed to incorporate characteristics and density patterns that reflect North Tahoe Resort Communities. The project site is located adjacent to Northstar Resort and uphill from Northstar Village and Tahoe Vista. The North Tahoe Resort communities provide year-round recreational activities, including skiing, cross-country skiing, snowshoeing, snowboarding, hiking, and biking. The MWPSP components complement and enhance the existing North Tahoe regional resorts by providing additional accommodations for residents and visitors to enjoy extensive cross-country trails, biking and hiking trails, recreational facilities and surrounding open space conservation areas. Figure(s) 1.b reflect sample of recreational trails.

Another reference to North Lake Tahoe. The project is in the Martis Valley so the Specific Plan should retract all references to Tahoe. **This is not a sales brochure- or is it?** It's not Northstar at Tahoe, Martis Camp at Tahoe, Highlands at Tahoe, The Ritz at Lake Tahoe, etc. **The project is the Martis Valley outside the Tahoe Basin.**

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Yet another reference to Tahoe

g. Community Character

An overriding objective with respect to the development of MWPSP is to achieve a community that, in both form and character, is appropriate within the context of the Tahoe / High Sierra Mountain environment.

Planning and design of new residences shall emulate the best characteristics (e.g., form, scale, and general character) of existing, nearby neighborhoods and be architecturally and aesthetically consistent with the character of development that has occurred to date.

The request for no further amendment process is not acceptable. Discretionary approval and review by appropriate committee, commission, etc. and publically noticed must be a condition of proposed cahnges. Height is a good example when the MVCP will allow greater than 75 feet ie. Upto 115 feet.

3. Modifications

The Development Standards and Design Guidelines may be modified as necessary pursuant to Government Code Section 65853 et seq. and Section 17.60.090 of the Placer County Zoning Ordinance. A concurrent Specific Plan Amendment shall not be required to revise the Development Standards and Design Guidelines provided the request satisfies all of the following:

- The revision to the Development Standards and Design Guidelines does not materially change a physical characteristic of the anticipated development.
- The objectives and intent of the Specific Plan are better served through the revision to the Development Standards and Design Guidelines.
- The revision to the Development Standards and Design Guidelines does not materially change the general land use pattern of the Plan Area.
- The revision to the Development Standards and Design Guidelines is consistent with the Specific Plan.
- No increase in the overall density will result through the revision to the Development Standards and Design Guidelines.

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4. Enforcement

The Development Standards and Design Guidelines shall be enforceable by the Planning Director or designee in a manner similar to other provisions contained in the Placer County Zoning Ordinance. Additionally, all project proposals will be reviewed by the Placer County Design/Site Review Committee. The Placer County Design/Site Review Committee shall make a finding of consistency among the development plan, the Specific Plan and the Development Standards and Design Guidelines.

5. MVWSP Development Standards: Development Standards set forth in this section, section 5, shall supersede the relevant Placer County Zoning Ordinance.

a. Grading and Excavation

The following site and grading considerations shall be implemented:

- i. Buildings shall be sited to fit the natural terrain, minimize cuts/ fills, capture views and maximize winter sun exposure.
- ii. The total amount of impervious surface shall be reduced wherever feasible.
- iii. The area of soil and vegetation disturbance on each home site shall be limited to that required for necessary construction and landscaping purposes. Except where required by access, retaining walls, there shall be no disturbance in setbacks and areas to be left in a natural state.
- iv. Buildings, roads, and structures shall be sited in a manner that avoids landform modification to the greatest extent possible.
- v. Except where unavoidable, no excavation or fill shall occur within the drip line of trees to be retained.
- vi. The long axis of the building shall be oriented parallel to existing contours to the extent feasible.
- vii. Stepped foundations and fragmented roof forms shall be used to adapt to the existing site topography, rather than changing or flattening the slope.
- viii. Existing features such as rock outcroppings and trees shall be protected when feasible and integrated into the design of the home.

b. Setbacks and Buffers

The structural setbacks for a Planned Development for single family and townhome residences are as follows:

- i. Front (street) - 20 feet from the property line
- ii. Sides - 10 feet from the property line, unless townhome with common wall of 0'
- iii. Rear - 10 feet from the property line
- iv. Interior or common wall - (0) feet interior set-back
- v. 12.5 feet minimum setbacks shall be used on front, 10' side and rear of commercial and condominium buildings. If parking is proposed in the front of the building a 20 foot setback from the façade will be enacted to ensure safety.
- vi. In addition, buildings shall be setback far enough so that they do not encroach into the MPE of adjacent street(s).

Add a caveat (statement to # 5) that the MVWSP Development Standards must exceed and be equally or more stringent than Placer County code to supersede the revelant Placer Code. 5a states captues views: captues what views? Add a statement that buildings will be sited and shall not violate Lake Tahoe viewshed in anyway.

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The project buildings and roadways will be sited outside of environmentally sensitive lands. The majority of buildings will be sited outside of areas with slopes over 25%. The following Placer County General Plan land use buffer zone standards will be implemented:

- i. 100 foot buffer from designated Timberland areas
- ii. 100 foot buffer from Perennial Stream areas
- iii. 50 foot buffer from Riparian Vegetation areas

c. Building Heights

Maximum Building Heights, as calculated by Section 17.54.020 of the Placer County Zoning Ordinance and as set forth in Section 2.b. of this Specific Plan.

| | |
|-----------------------------------|---------|
| Single Family Residences | 42 feet |
| Townhomes | 50 feet |
| Condominiums | 75 feet |
| Commercial Buildings | 60 feet |
| Buildings on the knoll – Figure Z | 60 feet |

d. Pitch

Major roofs shall have a minimum pitch of 3:12 and a maximum pitch of 14:12. Secondary roofs such as porches and dormers may have a lesser pitch. Medium roof pitches should be utilized where possible, in the range of 5:12, to hold snow. Roofs may be metal if they include snow clips or guards.

e. Off Street Parking

Paved parking areas shall be designed to provide the minimum amount of paving area necessary to meet required parking and circulation standards. Parking shall be designed to minimize visual and environmental impacts and allow for shared parking areas among different uses to help reduce the number of parking stalls. Underground parking, when feasible, is encouraged to maximize open space for commercial and condominium buildings. For residential units, adequate parking shall be provided off street with two (2) stalls per unit with one stall being covered. An additional two stalls per unit will be provided when possible for guest parking. Driveways shall have a minimum length of 20 feet when feasible as measured from the edge of pavement or back of curb (whichever is greater) to face of the garage door. Additionally, parking stalls will vary, on average 9' x 20', however some maybe smaller, i.e. compact or electric car stalls. Figure(s) 5.e illustrate acceptable parking standards.

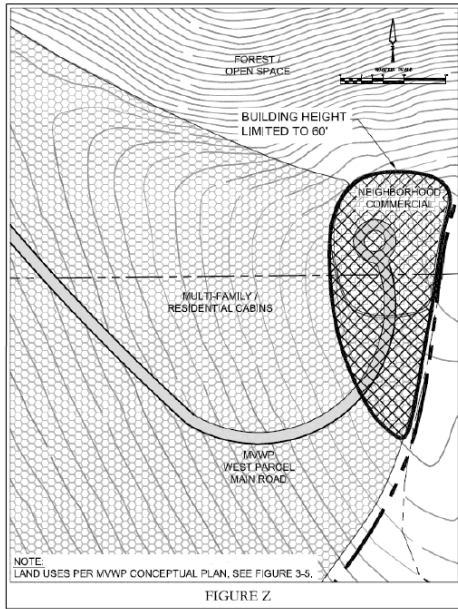


Figure Z

B23

Elevation of proposed commercial node is 7200-7400 ft. As previously mentioned it is necessary for all maps to include topo elevation numbers to accurately assess if viewshed of Lake Tahoe is violated. A proposed 60 foot building with no real requirement to amend the Specific Plan is unacceptable and must be changed in the FEIR and Specific Plan. See Page 9 of this document for a clearer representation of the commercial node.

VII CLOSING COMMENTS

You as a commission must **DENY** and re-circulate the MVWPSP EIR for cause as in its current form is flawed and environmental analysis and response to comments are inadequate, dismissed or incomplete.

The FEIR violates Placer County Land Use Visual and Scenic Resources code 1.k.1.

Placer County Land Use code VISUAL AND SCENIC RESOURCES: 1.K.1. **The County shall require that new development in scenic areas** (e.g., river canyons, lake watersheds, scenic highway corridors, ridgelines and steep slopes) is planned and designed in a manner which employs design, construction, and maintenance techniques that: a. **Avoids locating structures along ridgelines and steep slopes**; b. Incorporates design and screening measures to minimize the visibility of structures and graded areas; c. **Maintains the character and visual quality of the area.**

Removing the project from a ridgetop shared with Tahoe basin boundary **ELIMINATES** the Visual Significant and unavoidable Impact 9.9.

The over-riding consideration for biological migration is one-dimensional and is not enough benefit to the communities of Truckee, Martis and Tahoe to garner your support for the project without additional environmental analysis and mitigation. Logging practices and Timber Harvest already disturb the migration.

The approval process for the Martis Valley West parcel Specific Plan is being steamrolled for no apparent reason. Squaw Valley Village Specific Plan was released a month earlier in April and is not scheduled for your review until end of June and Board of Supervisors in August. The MVWPSP was presented to NTRAC with 7 days to review and your commission with 7 days to review. What's the hurry?

The public was before you November 19, 2015 to provide public comment on the DEIR for Martis Valley West Parcel Specific Plan. 10 people spoke and no one was in favor of the project.

The MVOA is not an approved document- it's a business agreement that has fallen apart!

From the MVOA : G. SPI and the Land Trust Partners intend to enter into an agreement for the acquisition and ultimate open space conservation of the East Parcel as more specifically described in the East Parcel Purchase.

The communities of Truckee, Martis and North Lake Tahoe, at-large, were being held hostage! The MVOA makes demands and if not met would not preserve 6,000+ acres as a conservation easement unless granted development rights on the west parcel. The MVOA as stated above has fallen apart as the partners (Mountain Area Preservation and Sierra) do not agree with the project as proposed. The Land Trust partner only executes the conservation easement if the project is approved.

Exhibit C

East Parcel Purchase, Sale and Option Agreement Term Sheet

1. East Parcel Procurement
 - Acquisition of East Parcel.
2. East Parcel Deal Terms
 - Purchase price will be Fair Market Value as established by an agency approved appraisal.
 - Closing date.
 - Contingent upon the West Parcel's initial approval.
 - SPI will not pursue development entitlements on the East Parcel during the option term.
 - No clear cutting during option.
 - Length of Option Period.
3. East Parcel Scenarios
 - If the West Parcel does not receive initial approval. No deal on East Parcel acquisition and/or conservation easement.
 - If the West Parcel does not receive initial approval the MVCP's density allocation on the East Parcel remains.
 - If the West Parcel receives initial approval TPL and/or TDLT complete the East Parcel acquisition or conservation easement per their deal terms.
 - If the West Parcel receives initial approval and TPL and/or TDLT are unable to perform and complete the East Parcel acquisition:
 - SPI to retain ownership of the East Parcel and all associated land rights.
 - Density allocation on the East Parcel will be extinguished.
 - No residential or commercial development on the East Parcel.
 - SPI shall agree to place a limited conservation easement on the East Parcel.
 - In exchange for the East Parcel's limited conservation easement SPI shall be compensated per terms to be agreed upon with the West Parcel developer.

The Planning Commission MUST DENY the FEIR as proposed request re-circulation to correct inadequacies and provide additional analysis to insure DEIR conclusions.

VIII. Articles from members of the public and environmental groups

**Several articles (a sampling from 2014-2106 below) have been in the local papers challenging the validity of the project and environmental documentation.
The Court of Public Opinion has spoken !!!!**

<http://www.sierrasun.com/news/18334272-113/tahoe-residents-flood-trpa-with-criticism-of-ridgeline>

<http://www.sierrasun.com/news/15319452-113/tahoe-truckee-realtors-taking-stand-against-ridge-line-development>

<http://www.sierrasun.com/news/18929362-113/opinion-lake-tahoes-death-by-a-thousand-cuts>

<http://www.sierrasun.com/news/18771829-113/opinion-setting-the-record-straight-regarding-martis-valley>

<http://www.rgj.com/story/opinion/voices/2015/08/26/op-ed-tahoe-development-deserves-scrutiny/32433587/>

<http://moonshineink.com/opinion/north-shore-evacuation-impossible-proposed-developments>

<http://www.sierrasun.com/news/22129993-113/opinion-make-your-voice-heard-about-martis-valley>

<http://www.sierrasun.com/news/18771824-113/opinion-martis-valley-west-is-a-bad-deal>

<http://www.sierrasun.com/news/20109787-113/opinion-brockway-campground-advertisement-presumptuous-misleading>

<http://www.sierrasun.com/news/21954624-113/opinion-squaw-martis-valley-west-projects-would-worsen>

<http://www.laketahoenews.net/2015/09/letter-ridgeline-development-a-disaster-in-the-making/>

<http://www.laketahoenews.net/2015/02/letter-martis-valley-project-reality-check/>

IX. CEQA REFERENCES THAT MUST BE CONSIDERED

15093. STATEMENT OF OVERRIDING CONSIDERATIONS

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091

15091. FINDINGS

(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

(b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.

(c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

(d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

(e) The public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.

(f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

§ 21091. DRAFT ENVIRONMENTAL IMPACT REPORTS AND NEGATIVE DECLARATIONS; REVIEW PERIODS

(2) (A) With respect to the consideration of comments received on a draft environmental impact report, the lead agency shall evaluate comments on environmental issues that are received from persons who have reviewed the draft and shall prepare a written response pursuant to subparagraph (B). The lead agency may also respond to comments that are received after the close of the public review period.

(B) The written response shall describe the disposition of each significant environmental issue that is raised by commenters. The responses shall be prepared consistent with Section 15088 of Title 14 of the California Code of Regulation

15002. GENERAL CONCEPTS

(a) Basic Purposes of CEQA. The basic purposes of CEQA are to:

- (1) Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities.
- (2) Identify the ways that environmental damage can be avoided or significantly reduced.
- (3) Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.

(g) Significant Effect on the Environment. A significant effect on the environment is defined as a substantial adverse change in the physical conditions which exist in the area affected by the proposed project. (See: Section 15382.) Further, when an EIR identifies a significant effect, the government agency approving the project must make findings on whether the adverse environmental effects have been substantially reduced or if not, why not. (See: Section 15091.)

(h) Methods for Protecting the Environment. CEQA requires more than merely preparing environmental documents. The EIR by itself does not control the way in which a project can be built or carried out. Rather, when an EIR shows that a project would cause substantial adverse changes in the environment, the governmental agency must respond to the information by one or more of the following methods:

- (1) Changing a proposed project
- (2) Imposing conditions on the approval of the project;
- (3) Adopting plans or ordinances to control a broader class of projects to avoid the adverse changes;
- (4) Choosing an alternative way of meeting the same need;
- (5) Disapproving the project;
- (6) Finding that changing or altering the project is not feasible;
- (7) Finding that the unavoidable significant environmental damage is acceptable as provided in Section 15093.

15088. EVALUATION OF AND RESPONSE TO COMMENTS

(a) The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The Lead Agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.

(b) The lead agency shall provide a written proposed response to a public agency on comments made by that public agency at least 10 days prior to certifying an environmental impact report.

(c) The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the Lead Agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.

(d) The response to comments may take the form of a revision to the draft EIR or may be a separate section in the final EIR. Where the response to comments makes important changes in the information contained in the text of the draft EIR, the Lead Agency should either:

- (1) Revise the text in the body of the EIR, or
- (2) Include marginal notes showing that the information is revised in the response to comments.